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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-11150-2019

Date of decision: 12.03.2024

GAFFAR AND ANR.

.... Petitioners

V/S

STATE OF HARYANA

.... Respondent

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present : None for the petitioners.
Mr. Aditya Pal Singla, AAG, Haryana.

Nidhi Gupta, J. (Oral)

1. On 06.01.2020, the following order was passed:-

“ Prayer in this application filed under Section 482 CrPC is for recalling the order dated 06.12.2019 passed by this Court, whereby the petition was dismissed for non-prosecution as the petitioners had not filed the process fee.

Learned counsel for the applicant/petitioners undertakes to file the process fee within three days from today.

In view of the undertaking so given, the present application is allowed and the order dated 06.12.2019 passed by this Court in the main case is ordered to be recalled, however, subject to payment of costs of Rs.5000/- to be deposited with the Bar Association of this Court within a period of one week.

On deposit of costs and filing of process fee within a period of one week from today, fresh notice be issued to the respondent in the main case for 27.04.2020.

Interim to continue till the next date of hearing.”

On 14.10.2022, when the case was taken up, no one was present on behalf of the petitioner and as per office report, no receipt had been received with regard to the deposit of amount, therefore, notice could not be

issued to the respondent. Accordingly, while adjourning the case, it was made clear that in the event, none appeared on behalf of the petitioner on the adjourned date, the appropriate order for final disposal of the petition would be passed.

Today also, when the case is taken up for hearing, none has put in appearance on behalf of the petitioner, neither the receipt of an amount of Rs.5000/- as costs, has been deposited by the counsel for the petitioner, so far.

In the light of the position as noted above, the present petition is dismissed.

(Nidhi Gupta)
Judge

12.03.2024
'Amit'

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No