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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 7081/2022 & CM APPL. 21726/2022**

KHWAJA NAQEBULLAHA

.....Petitioner

Through: None

versus

DISTRICT MAGISTRATE OF SOUTH -EAST DELHI & ORS.

.....Respondents

Through: Mr. Anupam Srivastava, ASC for
GNCTD with Ms. Sarita Pandey,
Advocate for R-1 & R-2

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

12.09.2024

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1. On 6th May, 2022, the following order was passed:

“Presently, there is no material on the record that the grave exists on private property. On being questioned further learned counsel for the petitioner submitted firstly that the grave exists on government land. He, thereafter, contends that the land in question belongs to a public trust.

None of the assertions are borne out or established from the writ petition or the material placed along with it. Learned counsel for the petitioner prays for time to supplement.

Accordingly, list again on 16.09.2022.”

2. Subsequently, the Petitioner sought time to comply with the aforementioned order and the hearings were accordingly adjourned. However, thereafter, on 16th January, 2024, 22nd February, 2024 and 9th May, 2024, there was no appearance on behalf of the Petitioner. The position remains the same even today.



3. In these circumstances, it appears that the Petitioner has lost interest in pursuing the present proceedings. Accordingly, the present writ petition is dismissed in default for non-prosecution.

SANJEEV NARULA, J

SEPTEMBER 12, 2024/ab