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

+ C.R.P. 106/2018 & CM AL. 20753/2018

SURESH KUMAR AGARWAL

.....Petitioner

Through: None.

versus

SATYA PRAKASH

.....Respondent

Through: Mr.Sunil Dalal, Sr. Advocate with
Ms.Manisha Saroha and Mr.Navish
Bhati, Advocates

CORAM:

HON'BLE MR. JUSTICE CHANDRA DHARI SINGH

ORDER

09.08.2024

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1. None appeared on behalf of the petitioner.
2. Learned senior counsel appearing on behalf of the respondent submitted that the instant revision petition has been filed after an extraordinary delay of 584 days without giving any substantive reason in the application seeking condonation of delay. It is also pointed out that on the last date of hearing i.e. 5th April, 2024, learned proxy counsel appearing on behalf of the petitioner had prayed for an adjournment which was vehemently opposed by the learned counsel appearing on behalf of the respondent. He has referred to paragraph 4 of the order dated 5th April, 2024 passed by the Predecessor Bench of this Court, which reads as below:-

“4. Any how, last and final opportunity is granted to the petitioner to appear on the next date of hearing and ensure that his counsel addresses arguments, failing which the Court shall



be constrained to hear the respondent and proceed with the matter in accordance with law.”

3. Learned senior counsel appearing on behalf of the respondent submitted that the Predecessor Court has specifically mentioned that if petitioner fails to argue the matter on the next date of hearing, the Court shall proceed with the matter in accordance with law and with the assistance of the learned counsel appearing on behalf of the respondent.

4. Heard learned senior counsel appearing for the respondent and perused the order dated 5th April, 2024. Today also none has appeared on behalf of the petitioner and none is present to pray for passover or an adjournment. This Court has no option but to dismiss the petition for non-prosecution.

5. Accordingly, the revision petition is dismissed for non-prosecution.

CHANDRA DHARI SINGH, J

AUGUST 9, 2024
NA/ryp

Click here to check corrigendum, if any