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

+ **W.P.(C) 16535/2022**

SH. RAJ BIHARI SINGH

.....Petitioner

Through: Ms. Samyukta Dorman, Proxy
Counsel

versus

M/S KIM AUTO PRODUCTS (INDIA)

.....Respondent

Through: None.

+ **W.P.(C) 16537/2022**

SHANKAR SINGH PANDEY

.....Petitioner

Through: Ms. Samyukta Dorman, Proxy
Counsel

versus

KIM AUTO PRODUCTS (INDIA)

.....Respondent

Through: None.

+ **W.P.(C) 16549/2022**

SUSHIL KUMAR

.....Petitioner

Through: Ms. Samyukta Dorman, Proxy
Counsel

versus

KIM AUTO PRODUCTS INDIA

.....Respondent

Through: None.

CORAM:

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

25.04.2025

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1. The present Petitions were filed in the year 2022. Notice was issued by a Coordinate Bench of this Court on 01.12.2022 in the matter. Subsequently, by an order dated 25.05.2023, a Coordinate Bench of this Court recorded that Notice could not be issued as process fee was returned under objection. Thereafter, by an order dated 09.10.2023, a Coordinate Bench of this Court again directed the Petitioners to issue a fresh Notice to the Respondent in the matter.

2. On 11.11.2024, a Coordinate Bench of this Court has passed an order as follows:

“Last opportunity is granted to take steps within one week, on which notice be issued to the respondent through all modes returnable on 02.04.2025 before Registrar.”

3. The matter was thereafter listed before the Registrar for this purpose. Despite repeated directions and a last opportunity granted to the Petitioners, steps were not taken by the Petitioners.

4. The matter is thereafter listed before this Court today.

5. A Proxy Counsel appears on behalf of the Petitioners today and submits that fresh steps could not be taken by the Petitioners. She also submits that she has no instructions in the matter.

6. Concededly, the matter was filed in the year 2022, despite the lapse of three years, Notice could not been issued to the Respondent, on account of the failure of the Petitioners.

7. Accordingly, this Court deems it apposite to dismiss the Petition for non-prosecution.

8. The parties will act based on the digitally signed copy of the order.

TARA VITASTA GANJU, J

APRIL 25, 2025/gs