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

+ **CRL.M.C. 3392/2013, CRL.M.A. 12471/2013**

RAJEEV KUMAR TYAGI

.....Petitioner

Through: Mr. Pramod Kumar Dubey, Senior Advocate with Ms. Smriti Sinha, Mr. Harshit Pandey, Mr. Prince Kumar and Ms. Muskan Sharma, Advocates.

versus

JAMEEL

.....Respondent

Through: Ms. Ashtha (DHCLSC) and Ms. Megha Singh, Advocates.

**CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA**

**ORDER
14.05.2025**

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1. The Trial Court Record has been received, which confirms that on 10th February, 2023, since there was no appearance on behalf of the Complainant despite repeated calls, the Trial Court passed the following order:

“Present: None for the complainant, despite repeated calls.

Upon perusing the record, none has entered appearance on behalf of complainant for last several dates of hearing. Complainant has not entered appearance since 20.01.2020. Last & final opportunity was granted to the complainant on LDOH, despite that none has entered appearance on behalf of complainant today.

The complainant is merely wasting precious time of the court by his non-appearance. No purpose would be served by keeping the matter pending. Accordingly, the present complaint case is disposed of as dismissed for non-appearance.

File be consigned to record room after compliance of

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necessary formalities.”

2. In view of the above dismissal, the underlying proceedings from which the impugned summoning order originated no longer survive.
3. Accordingly, the relief sought in the present matter challenging the summoning order is rendered infructuous. However, in the event the Complainant challenges the dismissal order dated 10th February, 2023 and the proceedings are revived, the Petitioner shall be at liberty to seek appropriate remedies against the summoning order, in accordance with law.
4. No purpose will be served in continuing with the present proceedings.
5. With the above directions, the present petition is disposed of along with pending application(s).

SANJEEV NARULA, J

MAY 14, 2025

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