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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

ARB No. 197 of 2019 (O&M)
Date of Decision: 17.11.2022

M/s Sekhri Telecom and Computer Hardware

-Petitioner

Vs

M/s Tech Traders and another

-Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Nikunj Dhawan, Advocate,
for the petitioner.

RAJ MOHAN SINGH, J.(Oral)

The present case was filed in the year 2019.

The respondents No.1 and 2 have not been served so far, despite number of orders passed on record in the context of issuing notices and *dasti* process.

On 03.03.2020, process was issued *dasti* only. Thereafter, the case was listed after a period of more than 02 years on 29.09.2022 and the following order was passed:-

“This case is being listed after a period of more than two years.

Let fresh dasti notices be issued to the respondents for 18.10.2022.

It shall be the responsibility of the

petitioner to serve the unserved respondents, failing which an appropriate order shall be passed on the adjourned date.

It is also made clear that no request for further adjournment for the purpose of service upon the respondents shall be entertained in view of directions issued by the Hon'ble Apex Court in SLP (Civil) No.5306 of 2022 that the case of present category which is pending for more than one year from the date of filing has to be decided within a period of six months from 19.05.2022.”

It was observed that it shall be the responsibility of the petitioner to serve the unserved respondents, failing which an appropriate order shall be passed on the adjourned date i.e. 18.10.2022.

On 18.10.2022, learned counsel for the petitioner submitted before this Court that due to mixing up of the case file with some other cases, the delay has occasioned in collecting the *dasti* process. Fresh *dasti* process was ordered for the service of the respondents No.1 and 2.

As per office report, even *dasti* process issued to the respondents have not been received back so far. It was the responsibility of the petitioner to ensure that the respondents

are duly served. Failure on the part of the petitioner has not been explained, except to say that the learned counsel has no instructions to proceed with the case.

Dismissed for non-prosecution.

17.11.2022
Jyoti Sharma

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No