

Ex. No.4/17
Kotak Mahindra vs. Vimal Kr.

04.06.2026

One of the regular Stenographer is on leave.

Present : None for DH.
None for JD.

Perusal of record shows that none is appearing for DH since
20.12.2024.

Be awaited.

(Gaurav)
District Judge-01/ SHD
KKD/Delhi/04.06.2026

(02.56 pm)

Present : None.

Perusal of record reveals that DH has not been appearing since
20.12.2024 i.e. for the last five consecutive dates. Even today, none
has appeared for the DH despite repeated calls since morning.

It is settled that a party seeking relief must demonstrate due
diligence in prosecuting their case. The continuous absence of the DH
amounts to an abandonment of the proceedings and constitutes non-
prosecution. Therefore, this Court is not obliged to keep matter
pending indefinitely, where the DH shows no interest in prosecuting
this petition.

**In view of the DH's persistent absence and failure to pursue the
present matter and in the absence of justifiable reason for non-
appearance, this Court is left with no option, but to dismiss the
execution petition for want of non-prosecution. Accordingly, present
execution petition is dismissed in default and for non-prosecution.**

File be consigned to Record Room as per rules.

(Gaurav)
District Judge-01/ SHD
KKD/Delhi/04.06.2026