

Court No. - 19

Case :- SECOND APPEAL No. - 501 of 1986

Appellant :- Asharfi Lal And Others

Respondent :- Firm Jai Narain Vinodi Lal And Others

Counsel for Appellant :- J.C.Srivastava

Counsel for Respondent :- Vishal Singh

Hon'ble Jaspreet Singh,J.

The instant second appeal is of the year 1986.

The record indicates that the second appeal arises out of a suit for recovery of money which was partially decreed for a sum of Rs.1,017.1 Paisa. The matter was carried in first appeal where the First Appellate Court allowed the appeal and the decree of the trial Court was modified to the extent that the aforesaid sum of Rs.1,017.1 Paisa would be recoverable along with 17% interest.

Needless to say that Section 100 CPC has undergone a legislative change in terms whereof any appeal arising out of a suit for money involving a sum of Rs.25,000/- or less would not entitle a party to pursue the remedy of second appeal.

Be that as it may, the record further indicates that learned counsel for both the parties i.e. appellant and the respondent had expired for which card notices were issued.

As per the office report, the appellant No.6 and the respondents No.2 and 3 are reported to be dead.

None has put in appearance on behalf of either of the parties.

In view of the aforesaid, the instant second appeal is dismissed for want of prosecution. Consigned to record.

Order Date :- 16.11.2023

Rakesh/-