

Court No. - 19

Case :- FIRST APPEAL DEFECTIVE No. - 19 of 1997

Appellant :- Shiv Shanker

Respondent :- Rae Bareli Development Authority Through Secy.

Counsel for Appellant :- G.S.Nigam, Gaurav Kumar Hasani, Kapish Srivastava

Counsel for Respondent :- C.S.C., Shikhar Anand

Hon'ble Jaspreet Singh, J.

The appeal is of the year 1997 and is listed under the heading "**these cases shall not be adjourned**".

The record indicates that on 16.10.2023, this Court had passed the following order which reads as under:

"Learned counsel for the appellant is reported to be ill.

List again on 28th of October, 2023 under the same head as it is listed today. In case if the counsel for the appellant has any difficulty, he shall make alternate arrangements as the matter shall not be adjourned on the next date."

Again on 28.10.2023, this Court had passed the following order which reads as under:

"List/ put up this case on 01.11.2023 in top ten cases.

Prima facie, it appears that this case is covered by the judgment of this Court passed in FIRST APPEAL No. 1 of 1996 dated 19.09.2023."

Today, despite the matter is a date fixed and is listed in top ten cases, none appears for the appellant to press the instant second appeal.

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

Order Date :- 1.11.2023

Shravan