

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

Second Appeal No.876 of 2012

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JUDGMENT:

On 01.05.2015, this Court had passed the following order:

“Ms.Trupthi Agarwal, learned counsel holding for Mr.Pawan Kumar Agarwal, learned advocate for the appellant on record submits that the appellant has taken away all the papers since they desire to engage some other advocate and on this ground she seeks adjournment beyond vacation.

Stand over to 12.06.2015.”

In view of the stated circumstances, when the matter came up for hearing on 10.09.2015, this Court had directed that the name of the appellant be printed in the cause list and the matter to be listed on 15.09.2015. The name of the appellant was printed in the cause list on 16.09.2015. As the appellant was called absent and as there was no representation for the appellant on 16.09.2015 the matter was directed to be listed under the caption ‘For Dismissal’. Despite listing the matter under the caption ‘For Dismissal’, the appellant is called absent and there is no representation for the appellant. It indicates that the appellant is not interested in prosecuting the appeal.

The learned counsel for the respondent was present on the previous dates of adjournment and also today.

Therefore, the Second Appeal is dismissed for default. There shall be no order as to costs.

Miscellaneous petitions, pending if any, in this appeal shall stand closed.

M. SEETHARAMA MURTI, J

21.09.2015

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