

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

FAO-4810-2014 (O&M)

Date of Decision: - November 27, 2015

Bainkuti and others

...Appellant.

Versus

Yashoda

...Respondent.

**CORAM: HON'BLE MR. JUSTICE RAJIVE BHALLA
HON'BLE MR. JUSTICE JASPAL SINGH**

Present : Ms. Nancy Gupta, Advocate for
Mr. R.S. Malik, Advocate,
for the appellant.

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

RAJIVE BHALLA, J. (Oral)

The appellants have filed this appeal challenging order, dated April 07, 2014, passed by the District and Sessions Judge, District Judge, Family Court, Sonipat directing the appellants to hand-over custody of minor Shyam Sunder, to his mother-Yashoda.

The appeal was filed on May 29, 2014 and came up for consideration on July 14, 2014. Notice of motion was issued on September 24, 2014 but the appellants have repeatedly failed to furnish the correct address of the respondent. A last opportunity was granted on August 17, 2015 but as counsel for the

appellants failed to furnish the correct address of the respondent, the following order was passed on October 06, 2015:-

“Last opportunity was granted to furnish the correct address of the respondent but the fresh address has not been furnished.

Counsel for the appellants prays for yet another opportunity to do the needful. A last and final opportunity is granted to furnish the correct address of the respondent failing which the appeal shall be deemed to have been dismissed for non prosecution.

Adjourned to 27.11.2015”

Counsel for the appellants states that the appellants are not in a position to furnish the correct address of the respondent.

Consequently, taking into consideration the aforesaid statement as well as the failure of the appellants to furnish the correct address of the respondent, the appeal is dismissed for non-prosecution.

**(RAJIVE BHALLA)
JUDGE**

**(JASPAL SINGH)
JUDGE**

November 27, 2015
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