

HON' BLE SRI JUSTICE SURESH KUMAR KAIT

&

HON' BLE SRI JUSTICE N. BALAYOGI

F.C.A.M.P.No. 187 of 2017 in F.C.A.No. 142 of 2017

&

F.C.A.No. 142 of 2017

JUDGMENT:- (ORAL)

(Per Hon'ble Sri Justice Suresh Kumar Kait)

This application is filed seeking to condone the delay of 148 days in filing the appeal.

On 19.07.2017, this Court adjourned the matter to 24.07.2017 enabling the petitioner to file proof of service of notice on the respondents. On 24.07.2017, this Court directed the Registry to check up whether proof of service is filed or not. As per the Office Report dated 27.07.2015, proof of service is not filed. Today, when the matter is taken up for hearing, nobody has appeared on behalf of the petitioner nor is made any representation on its behalf. It seems, the petitioner is no more interested in prosecuting the matter.

Hence, this application is dismissed in default and for non-prosecution as well. Consequently, the appeal is rejected. No order as to costs.

As a sequel, Miscellaneous Petitions, if any pending, shall stand disposed of as infructuous.

31.07.2017

SURESH KUMAR KAIT, J

N. BALAYOGI, J

bcj