$~2

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

\+ RFA 143/2014

SH GAURAV ABBOTT ..... Appellant

Through None.

versus

SMT NITA ABBOTT & ORS ..... Respondent

Through Mr.N.S. Negi, Adv. for R-1.

**CORAM:**
**HON'BLE MR. JUSTICE P.S.TEJI**

**O R D E R**

**% 15.09.2017**

Nobody appeared on behalf of the appellant.

The present appeal was filed in the year 2014. It came up for hearing on 23.04.2014 when exparte stay was granted. Thereafter, respondent no.3 was stated to have expired and an application for bringing his LRs on record was moved. LRs of respondent no.3 remained unserved. On 05.12.2014 and 10.04.2015, nobody appeared for the appellant. On 01.09.2015, last and final opportunity was granted to the appellant. On 15.12.2015 and 11.07.2016, nobody appeared for the appellant. On 02.09.2016, fresh notice was ordered to be issued to the LRs of respondent no.3. On 20.12.2016, nobody appeared for the appellant. On 10.01.2017, appellant appeared in person and a detailed order was passed by this Court that respondent no.2 shall be at liberty to seek execution of the impugned judgment and decree in accordance with law. On 25.04.2017 and 21.08.2017,

nobody appeared for the appellant. Today also nobody appeared for the appellant.

From the proceedings, it appears that the appellant is no more interested in pursuing the present appeal. It is also apparent from the record that the stay granted in favour of the appellant has already been vacated. The appellant had also moved an application under Order 41 Rule 27 CPC.

In the facts and circumstances, appeal is dismissed in default along with applications.

**P.S.TEJI, J**

**SEPTEMBER 15, 2017**
**dd**