

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

205

**CM Nos. 4747-48-49-C of 2012 in/and
RSA No.1034 of 1998 (O&M)
Date of Decision : 24.4.2018**

**Haryan Urban Development Authority through its Chief
Administrator and others**

..... Appellants

Versus

Sh. L.D.Kumar and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Deepak Sabharwal, Advocate
for the appellants.

Mr. J.S.Mehndiratta, Advocate
for the respondents.

AJAY TEWARI, J. (Oral)

CM-4747-48-49-C-2012

Application bearing CM No.4749-C-2012 has been filed under Order 41 Rule 19 read with Section 151 CPC for recalling the order dated 4.8.1999, the same is reproduced below :-

“Dismissed for non-prosecution. As and when appellant is able to get the address of the respondent, it shall be open to appellant to apply for revival of the appeal.”

Alongwith this application for recalling, there is another application bearing CM No. 4747-C-2017 for condonation of delay of 4565 days in filing the application. The ground taken is that the correct address was traced and intimated to the headquarters on 28.4.2002. Thereafter, time and again the headquarters were informed and asked to convey necessary directions and ultimately an advocate was authorized to

move the application for recalling of the order by letter dated 8.9.2004. It would be thus seen that it took the applicants about two and a half years to authorize the counsel to move an application for recalling. There is no explanation for this delay.

Applications stand dismissed.

Main Case

Since application for condonation of delay is dismissed, the main case is also dismissed.

Since the main case has been decided, the pending civil miscellaneous application, if any, also stands disposed of.

24.4.2018
anuradha

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No