

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

**FAO No.1267 of 2010(O&M)
Date of Decision: 07.05.2018**

Prem Kumar

.....Appellant

Vs

Vijay Kumari & Others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: None for the appellant.

Mr. Manmohan Garg, Advocate
for the respondents.

RAJ MOHAN SINGH, J. (Oral)

On 04.07.2017, the following order was passed by this Court.

“Perusal of record reveals that vide order dated 06.05.2014, learned counsel for the appellant sought time to bring on record the legal representatives of the deceased appellant. The case was adjourned for 11.11.2014. On 11.11.2014, none appeared on behalf of the appellant and the case was adjourned sine die, to be taken up, if any, application for bringing on record the legal representatives of the deceased appellant is received.

As per office reports, no application has been moved by learned counsel for the appellant for bringing on record the legal representatives of the deceased-appellant. The case was listed in motion hearing in view of order dated 25.02.2016 passed by Hon'ble the Acting Chief Justice. Thereafter letter was issued to the parties about the date fixed.

This case cannot be kept without non-compliance of the order dated 06.05.2014. In the interest of justice, last opportunity is granted to learned counsel for the appellant to comply with the aforesaid order, failing which this case would be deemed to be dismissed for want of non-prosecution without making any further reference to the Court.

List on 28.11.2017.”

Even today none has appeared on behalf of the appellant despite two pass overs. For the reasons recorded in the order dated 04.07.2017, this Court has no alternative but to dismiss this appeal for want of prosecution.

Dismissed for non-prosecution.

7th May, 2018

shabha

**(RAJ MOHAN SINGH)
JUDGE**

Whether speaking/reasoned Yes/No

Whether reportable Yes/No