

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

-.-

RSA 4489 of 2011 (O&M)

Date of decision: 04.07.2018

Nirmal Singh

..... Appellant

Versus

Gurnam Kaur and others

..... Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

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Present: None for the appellant
Mr. R S Mamli, Advocate
for the respondents

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Rekha Mittal, J. (Oral)

There is no representation on behalf of the appellant despite the case being called out twice.

On 15.11.2017, last opportunity was provided to counsel for the appellant to argue the matter subject to payment of Rs.5,000.00 as costs.

A relevant extract from the order reads as follows:-

“On 04.03.2016, 29.11.2016 and 17.05.2017, learned counsel for the appellant was not present. Also on 26.08.2016, learned counsel for the appellant requested for a short adjournment to argue the matter. Even today, request for an adjournment is made to argue the matter.

In the interest of justice, last opportunity is granted to learned counsel for the appellant to argue the matter. However, the same shall be subject to payment of Rs.5,000/- as costs out of which Rs.2,500/- each would be deposited with the Punjab & Haryana High Court Employees Welfare Fund, Chandigarh and Punjab and Haryana High Court Bar Association Employees Welfare Fund, Chandigarh.

Adjourned to 19.04.2018.”

Counsel for the appellant or for that matter the appellant, in place of making necessary compliance of order dated 15.11.2017, has opted to be absented from the proceedings. In the given scenario, there is no alternative with the Court except to dismiss the appeal for non-prosecution.

Ordered accordingly.

(Rekha Mittal)
Judge

04.07.2018

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Whether speaking/reasoned: Yes/No

Whether reportable : Yes/No