

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

105

RSA-1267-2016 (O&M)

Date of Decision : 28.02.2018

Ayub Khan and another

..... Appellants

Versus

Abdul Karim

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Ms. Kulwinder Kaur, Advocate
 for Mr. Saleem Ahmed, Advocate
 for the appellants.

AJAY TEWARI, J. (Oral)

On the last date the following order was passed:-

“This appeal is pending at the motion stage for the last more than one and half years. It was earlier dismissed for non-prosecution vide order dated 18.10.2016. Thereafter, the appeal was restored vide order dated 03.02.2017, adjourning the case for arguments on 01.05.2017. Yet another adjournment was sought and granted to learned counsel for the appellants on 01.05.2017, adjourning the case for today. Similar is the position today. Learned proxy counsel seeks yet another adjournment, which has not been found to be justified.

However, to avoid miscarriage of justice, one last and final opportunity is granted to learned counsel for the appellants to address his arguments subject to payment of Rs.10,000/- as costs to be deposited by the appellants with the Punjab and Haryana High Court Advocates' Welfare Committee.

List on 28.02.2018.”

Neither the costs have been paid and even today there is a request for adjournment. Even earlier also this appeal had been dismissed for default of appearance.

In the circumstances, the appeal is dismissed in default.

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

February 28, 2018
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(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No