

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

RSA No. 286 of 2018 (O&M)

Date of Decision: 17.12.2018

Rakesh Kumar

.....Appellant

Vs.

M/s Vikram Electric Equipment Pvt. Ltd.

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Saleem Ahmad, Advocate,
for the petitioner.

AMOL RATTAN SINGH, J. (ORAL)

On 01.11.2018, the following order had been passed:-

“Learned counsel for the appellant would take instructions as to whether the appellant had reflected the amount of Rs.22 lakhs plus in his income tax returns, as he is admitted to have received from the respondent/plaintiff, though the contention of the plaintiff is that it was not by way of earnest money but on account of the appellant being a commission agent.

Adjourned to 04.12.2018.

It is made clear that no notice having been issued in this appeal, obviously no stay is operating.”

Thereafter, on 04.12.2018, the earlier order not having been complied with, a request for an adjournment had been made by counsel for the appellant, with the appeal adjourned to 06.12.2018, on which date the following order had been passed:-

As already noticed in the order dated 04.12.2018, i.e the day before yesterday, the following order had been passed on

01.11.2018:-

“Learned counsel for the appellant would take instructions as to whether the appellant had reflected the amount of Rs.22 lakhs plus in his income tax returns, as he is admitted to have received from the respondent/plaintiff, though the contention of the plaintiff is that it was not by way of earnest money but on account of the appellant being a commission agent.

Adjourned to 04.12.2018.

It is made clear that no notice having been issued in this appeal, obviously no stay is operating.”

Today, yet another request for an adjournment has been made on behalf of the learned counsel for the appellant, on the ground that the arguing counsel is in some personal difficulty.

Adjourned to 17.12.2018, with it being made absolutely clear that non-compliance of the order dated 01.11.2018 would result in dismissal of this petition on that very date.

Today again, the order dated 01.11.2018 has not been complied with.

Consequently, this appeal is dismissed-in-default.

December 17, 2018
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(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned

Yes

Whether Reportable

No.