

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

-.-

RSA 733 of 2017 (O&M)

Date of decision: 18.04.2018.

Rattan Singh

.....Appellant

Versus

Gram Panchayat

.....Respondent

Coram: Hon'ble Mrs. Justice Rekha Mittal

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Present : Ms Sukhvir Kaur, Advocate for
Mr. Ravinder Bangar, Advocate
for the appellant

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Rekha Mittal, J. (Oral)

Arguing counsel for the appellant is stated to be in personal difficulty.

Perusal of the records would reveal that since 07.12.2017, the appeal has been adjourned on a number of occasions on request made by counsel for the appellant. In the orders dated 29.01.2018 and 05.02.2018, it has been recorded that counsel for the appellant wanted to go through the records and assist the Court. A relevant extract from order dated 29.01.2018, reads as follows:-

“The present appeal directs challenge against consistent findings recorded by the Courts below whereby suit filed by the appellant/plaintiff for permanent injunction qua a plot stated to be situated within Lal Dora of the village has been dismissed with the findings that except the site plan, there is no other evidence to establish plea of the appellant

Counsel for the appellant prays for a

short accommodation to go through the plaint as well as evidence adduced on record.

List on 05.02.2018.”

On 07.03.2018, a request was made on behalf of counsel for the appellant on the premise that he is unwell. However, last opportunity was provided to make submissions.

Today, despite two calls, counsel for the appellant did not bother to appear before the Court for making submissions. Counsel who caused appearance on behalf of Mr. Ravinder Bangar, Advocate has expressed her inability to make submissions. In the given scenario, there is no option with the Court except to dismiss the appeal.

Ordered accordingly.

(Rekha Mittal)
Judge

18.04.2018
mohan bimbura

Whether speaking/reasoned: Yes/No
Whether reportable : Yes/No