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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ RSA 92/2018 & CM No.24585/2018 (for stay).
BHIM SAIN PANWAR & ORS Appellants
Through: Mr. Rishi Manchanda with Ms. Divya
Singh, Advs.
versus
MEENA KUMARI & ANR Respondents
Through: None.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

% **12.09.2018**

1. This Regular Second Appeal under Section 100 of the Code of Civil Procedure, 1908 (CPC) impugns the judgment and decree [dated 21st February, 2018 in RCA No.61017/2016 of the Court of the Additional District Judge-03 (West)] of dismissal of First Appeal under Section 96 of the CPC preferred by the appellants against the judgment and decree [dated 19th May, 2014 in Suit No.242/2007 (Unique Case ID No.02401C0429692007) of the Court of Senior Civil Judge (West)] allowing the suit of the respondent no.1/plaintiff against the appellants/defendants for recovery of possession of immovable property and for recovery of *mesne* profits/damages for use and occupation.

2. The appeal came up first before this Court on 1st June, 2018 when adjournment was sought by the counsel for the appellants. On the next date of hearing i.e. 17th July, 2018, again the counsel for the appellants sought adjournment. Thereafter on 21st August, 2018, none appeared for the appellants despite passover; however adverse orders were deferred.

3. Today also on first call none appeared for the appellants. The counsel who was earlier appearing for the appellants appeared before this Court in another matter and stated that he will appear in the matter when called again.

4. The counsel for the appellants states that he is not receiving instructions and documents from the appellants and withdraws his *Vakalatnama* from this appeal.

5. The counsel for the appellants is permitted to withdraw his *Vakalatnama*.

6. None else appears for the appellants.

Dismissed in default.

RAJIV SAHAI ENDLAW, J

SEPTEMBER 12, 2018

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