

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.11.2019

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

S.A.No.1431 of 2007

Ishwardass Mittal

... Appellant/Plaintiff

versus

1. Vijaya Bank,
represented by its Manager,
C.D.Chambers Mount Road,
Coonoor, The Nilgiris.
2. M/s. Santhosh Tea Company
rep. by its Proprietor,
Lakshmichand Dalmia
Rajasthan Sales Corporation,
UCO Buildings, Khajron Ka Rasta
Chandpose Bazaar, Jaipur,
State of Rajasthan.
3. Lakshmichand Dalmia
4. The Delhi Haryana Transport
Corporation,
now Delhi Haryana Transport
Corporation (India) Ltd.,
represented by its Manager
Dhal Bir Sharma,
Crown Prince Hall Mount Road,
Coonoor, The Nilgiris.

.. Defendants/Respondents

Prayer:-

Second Appeal filed under Section 100 of the Code of Civil Procedure against the Judgment and decree of the District Court of The Nilgiris at Uthagamandalam in A.S. No.7 of 2005, dated 07.10.2005 confirming the judgment and decree of the Subordinate Court, Uthagamandalam in O.S. No.295 of 1996, dated 25.01.2005.

For appellant : No appearance
For respondents : Mr.Rajendra Prasad Tayal
for R4 - No appearance
R1 - Served - No appearance

JUDGMENT

This Court by its earlier order dated 18.10.2019 recorded the submissions of the learned counsel for the appellant that he reports "no instructions" in this matter. Thereafter, this Court directed the Registry to print the name of the appellant and adjourned the matter today.

2. Today, the matter has been listed and despite the name of the appellant having been printed in the cause list, there is no representation on the side of the appellant. The Second Appeal is of the year 2007. Therefore, it can now be inferred that the appellant is not interested to prosecute the Second Appeal. Accordingly, the Second Appeal is dismissed for non prosecution. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

1. The District Judge,
Uthagamandalam,
The Nilgiris.

2. The Subordinate Judge,
Uthagamandalam.

Copy To

The Section Officer,
VR Section, High Court,
Madras-104.

S.A.No.1431 of 2007

SSI (CO)
CS/18/12/2019