

RSA- 812 of 2018(O&M)
Date of Decision: 31.5.2019

Shivenderpal Singh

---Appellant

versus

Nirmal Singh through Lrs.

---Respondent

Coram: Hon'ble Mrs. Justice Rekha Mittal

Present: None for the appellant

Rekha Mittal, J.

Case called out twice. There is no representation on behalf of the appellant.

Perusal of the record would reveal that since filing of the appeal which was taken up for the first time in May 2018, Sh. H.S.Jakhal, Advocate has not appeared before the court for making submissions despite last opportunity granted vide order dated 19.3.2019. A relevant extract from order dated 19.3.2019 reads as follows:-

“Perusal of the judgments passed by the courts would reveal that primary controversy involved in the present lis, is if property in the hands of Sh. Hakik Singh father of the appellant was ancestral coparcenary property in which the appellant acquired right by way of birth being son of Hakik Singh. The appellant also challenged sale deed dated 2.6.2008 allegedly executed by Hakik Singh son of Buta Singh in favour of defendant No. 1 Bool Chand through Nirmal Singh son of Hakik Singh defendant No. 2.

Arguing counsel for the appellant is stated to be in personal difficulty. He is not present despite last opportunity granted for making submissions.

Adjourned to 29.5.2019.

To be shown in the urgent list.

A photocopy of this order be placed on the file of connected case.”

In view of the above, there is no alternative with the court except to dismiss the appeal and applications(s) for non-prosecution.

(Rekha Mittal)
Judge

31.5.2019

PARAMJIT

Whether speaking/reasoned : Yes

Whether reportable : Yes/No