

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

**CM No.8922-C of 2018 in/and
RSA No.3366 of 2018 (O&M)
Date of decision: 21.02.2019**

Sukhdev Singh and another

Versus

.... Appellants

Mohinder Singh and another

....Respondents

CORAM: HON'BLE MR. JUSTICE B.S. WALIA

Present: None.

B.S. WALIA, J (ORAL)

Case has been called out twice, none has put in appearance on behalf of the appellants nor has any request for pass over been made. It needs mentioning that on 1.6.2018 counsel for the appellants had sought time to verify whether any evidence was led to prove that the receipt dated 4.3.2006 (Ex.D1) was a result of fraud. On the next date i.e. 13.7.2018, counsel for the appellants requested for an adjournment on the ground of personal difficulty. Thereafter, on 13.8.2018, request was made for adjournment on account of arguing counsel being unwell. On 30.11.2018, none was present whereupon in the interest of justice, the case was adjourned to 11.12.2018. While noticing the adjournments on earlier dates, the case was adjourned for the last time to 21.12.2018 while making it clear that if the appeal was not argued on the next date of hearing, it would be deemed to have been dismissed in default.

On 21.12.2018, while noticing that Court time was almost over, the case was adjourned to 24.1.2019, on which date, counsel appearing on behalf of the appellants requested for an adjournment.

Today, as has been noticed above, none has put in appearance on behalf of the appellants despite the case having been called out twice nor has any request for pass over been made. It appears that the appellants are not interested in pursuing the appeal

Dismissed in default.

February 21, 2019
ps

(B.S. WALIA)
JUDGE

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