

25.11.2022  
SL No.34  
Court No.8  
(gc)

**FMAT 154 of 2015**  
**CAN 1 of 2015 (Old No: CAN 1654 of 2015)**

**Harbhajan Singh**  
**Vs.**  
**Mahindra & Mahindra Finance Service Ltd.**

This matter appeared in the warning list on 16<sup>th</sup> November, 2022 with a clear indication that the appeal shall be transferred to the daily list on 21<sup>st</sup> November, 2022.

The appellant is not represented nor any accommodation is prayed for on behalf of the appellant, although, the appellant has sufficient knowledge and notice of the listing of this matter. This appeal was filed in or around February, 2015 but since then no attempt has been made to move this appeal or the connected application. The defect indicated by the Additional Stamp Reporter on 25<sup>th</sup> February, 2015 has not yet been removed.

It appears from the record that the learned Trial Judge refused to extend the interim order due to non-compliance of the earlier order. There is nothing on record to show that the observation made by the impugned order is erroneous. In any event the said order is dated 3<sup>rd</sup> February, 2015 and considerable time has elapsed in the meantime, the application may have become infructuous by this time.

The appeal and the application, accordingly, stand dismissed.

However, there shall be no order as to costs.

**(Uday Kumar, J.)**

**(Soumen Sen, J.)**