

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

210

**CM No.4307-CII of 2017 in/and
FAO No.1354 of 2017
Date of Decision: 26.08.2022**

A.K. VIDYAMANDIR PVT. LTD.

.....Appellant

Vs

ANIL TEWARI AND ANR

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: None for the appellant.

Mr.P.S.Rana, Advocate
for the respondents.

RAJ MOHAN SINGH, J.(Oral)

This appeal has been filed along with an application under Section 5 of the Limitation Act seeking condonation of delay of 339 days in filing the appeal.

Perusal of the record would show that after appearing in the case once on 27.02.2017, learned counsel for the appellant did not appear on 15.09.2017, 15.03.2018 and 14.05.2019 i.e. the date on which last opportunity was granted to the appellant to address arguments.

Learned counsel for the respondents submits that the parties have entered into an amicable settlement during pendency of the present appeal and that is why the appellant is

not interested in pursuing this appeal any more.

Owing to non appearance of learned counsel for the appellant repeatedly since 15.09.2017, this Court has no alternative but to dismiss this appeal for non prosecution.

Accordingly, the present application as well the appeal are dismissed for non prosecution.

26.08.2022
anita

**(RAJ MOHAN SINGH)
JUDGE**

**whether speaking/non speaking yes/no
whether reportable/non reportable yes/no**