

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

201

1)

CRA-S-1844-SB-2007
Decided on : 12.01.2023

Gauri Khanna

. . . Appellant(s)

Versus

D.K. Kapoor

. . . Respondent(s)

2)

CRA-S-1843-SB-2007

Gauri Khanna

. . . Appellant(s)

Versus

D.K. Kapoor

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: None for the appellant(s).

Mr. Himanshu Gupta, Advocate
for the respondent(s).

SANJAY VASHISTH, J. (Oral)

Order dated 09.11.2022, says as under:-

“Perusal of the file reveals that in a case of bouncing of cheque dated 20.08.1996 for an amount of Rs. 1 lac, accused was acquitted by learned trial Court vide its judgment dated 31.03.2006 and present appeal is filed against the said judgment of acquittal.

Despite the matter being pending since long, none appears to be interested in pursuing the appeal after its filing.

For the purpose of reference, some of the previous orders are reproduced here-in-below:

On 16.08.2019 following order was passed by the then coordinate Bench of this Court.

“ In the interest of justice, adjourned to 22.11.2019.”

Order dated 10.10.2022 passed by the co-ordinate Bench of this Court, says as under:

“On the last date of hearing, none appeared on behalf

of the appellant(s) and even today, the position is same.

In the interest of justice, list on 17.10.2022.

It is clarified that in case, none appears on behalf of the appellant(s) on the next date, this Court shall presume that the appellant(s) is no more interested to pursue the present appeal and the same shall be dismissed for non-prosecution.

Photocopy of this order be placed on connected file of this case."

Thereafter, on 17.10.2022 following order was passed:

"None appeared on behalf of the appellant(s).

Issue notice to the appellant(s) in the both the appeals, returnable for 09.11.2022.

It is clarified that if the appellant(s) fail to appear on the next date, this Court shall proceed further by dismissing the appeals in default.

Photocopy of this order be placed on connected file of this case."

Today also, no one is present on behalf of the appellant(s) inasmuch as as per office report, counsel concerned has already been intimated about the date fixed in the case for today.

Since judgment of acquittal is of the year 2006 and appeal was filed in the year 2007, and nobody seems to be interested in appearing and arguing the matter, this appeal requires its disposal at the earliest without wastage of much time. Though there is no request, still one last opportunity is granted, in the interest of justice. It is also made clear that in case no body appears on the next date of hearing, appeal will be disposed of in accordance with law.

Adjourned to 12.01.2023.

A photostat copy of this order be placed on the file of connected case."

Today again, there is no representation on behalf of the appellant(s).

Dismissed for non-prosecution.

(SANJAY VASHISTH)
JUDGE

January 12, 2023

J.Ram

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No