

Harbhajan Singh ...Appellant

versus

[2] COCP-1433-2006 (O&M)

Harbhajan Singh ...Petitioner

versus

Dr. Jai Gopal and others .....Respondents

Coram : **HON'BLE MR. JUSTICE ANIL KSHETARPAL**

Present : None.

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**ANIL KSHETARPAL, J. (ORAL)**

[1] On 22.09.2023, the following order was passed:-

*“ This appeal was filed through late Sh. Arun Jain,  
Senior Advocate.*

*Mr. Aryaman Thakur, Advocate, enters appearance on behalf of the appellant and submits that he has no instructions in the matter.*

*Sh. Shreenath A. Khemka, the learned counsel representing the respondent submits that the appellant is enjoying interim order for the last 34 years.*

*This appeal has come up for hearing after a sufficiently long time. Therefore, it would not be appropriate for the court to decide the case without giving an opportunity of hearing to the appellant.*

*Hence, the office is directed to issue notice to the appellant in the appeal as well as to the petitioner in the contempt petition, for 06.10.2023.*

*The learned counsel representing the respondent has offered to help the court in serving the notice.*

*Dasti.*

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

[2] As per the office report, the sole appellant has sold the house 6-7 years ago and now his present address is not known. Similar is the position of petition filed under the Contempt of Courts Act. In this situation, this Court is left with no choice but to dismiss the appeal as well as contempt petition for non prosecution.

**(ANIL KSHETARPAL)**  
**JUDGE**

12.10.2023  
'Rajneesh'

|                                   |   |               |
|-----------------------------------|---|---------------|
| <i>Whether speaking/ reasoned</i> | : | <i>Yes/No</i> |
| <i>Whether reportable</i>         | : | <i>Yes/No</i> |