

281

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

**RSA NO. 994 OF 2021**

**DATE OF DECISION: 18.04.2023**

**Abdul Kareem and another**

**...Appellants**

**Versus**

**Central Bank of India and another**

**...Respondents**

**CORAM : HON'BLE MR. JUSTICE ARUN MONGA**

Present : Mr. M. K. Sood, Advocate,  
For the appellants.

**ARUN MONGA, J. (ORAL)**

Having suffered adverse concurrent findings by the two Courts below, plaintiff/appellants herein are in second appeal against the order dated 01.04.2019 passed by learned trial Court, as upheld by learned First Appellate Court vide its order dated 23.02.2021, vide which application of defendant filed under Order 7 Rule 11 CPC, was allowed and plaint of plaintiff has been rejected.

2. At the very outset, learned counsel for appellant seeks to withdraw his power of attorney and pleads no instructions.

3. Appeal was filed during pandemic period on or before 03.04.2021 and has been taken up for hearing after pandemic for the first time today. Though learned counsel for appellants appears but states that he is unable to assist this Court for lack of instructions as his attempts to contact his clients have been futile. In the premise, he is discharged from the case.

4. Since none appears for appellants, issuance of notice to appellants shall be an exercise in futility.

5. In the premise, instant appeal is dismissed for non-prosecution with liberty to move application to revive the same, in case any cause of action still survives.

**APRIL 18, 2023**  
Shalini

**(ARUN MONGA)**  
**JUDGE**

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