

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH**224****RSA-1465-1996 (O&M)****Date of order: 20.11.2023****Fauja Singh****.....Appellant(s)****Vs.****Zaila Singh****.....Respondent(s)****CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA****Present:-** None for the appellant.Respondent has been proceeded against ex parte
vide order dated 15.07.1997.

Nidhi Gupta, J.

This is a second appeal filed by the plaintiff/appellant against judgment of learned Additional District Judge, Ferozepur. The appellant/plaintiff had filed a suit for specific performance which was dismissed by the learned trial Court vide judgment and decree dated 01.03.1994; and the appeal filed against the same has also been dismissed by the learned First Appellate Court vide judgment dated 19.01.1996.

The matter is coming up for hearing after the year 1997. Notice was issued on 14.03.1997, and on 15.07.1997, the sole respondent was proceeded against ex parte as none had appeared on his behalf despite service. The matter was adjourned on 29.07.1997 and 20.08.1997, and again, the matter was adjourned at the request of learned counsel for the appellant on 26.09.1997 and 14.10.1997.

As per office report dated 17.11.2023, learned counsel for the appellant has been informed about the date fixed through e-mail.

However, despite that today also, there is no representation on behalf of the appellant.

Therefore it can safely be presumed that the appellant or his counsel is no more interested in pursuing the instant second appeal. Thus, this Court is left with no other option except to dismiss the present appeal for non-prosecution. Ordered accordingly.

Pending application(s) if any also stand(s) disposed of.

20.11.2023

Sunena

(Nidhi Gupta)

Judge

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No