

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

**FAO No. 3880 of 2017 (O&M)
Date of Decision: 12.01.2023**

M/s. Himgiri Industries, Rohtak
..... Appellant / Plaintiff
Versus
M/s. Shri Krishna Oil and Foods and another
..... Respondents / Defendants

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: None for the appellant.

None for the respondents.

MAHABIR SINGH SINDHU, J.

1. Present appeal has been filed against the order dated 26.04.2017, passed by learned District Judge, Rohtak, whereby application of appellant-plaintiff filed under Order 39 Rules 1 & 2 read with Section 151 of Civil Procedure Code in Civil Suit No. 5 of 2017 for Permanent and Mandatory Injunction, was dismissed.
2. On the last three dates, i.e. 13.03.2018, 21.11.2018 & 30.10.2019, when the case was taken up, no one appeared on behalf of appellant. Today also, despite calling twice, none has come present on its behalf.
3. In view of above, it appears that appellant is not interested in pursuing the present appeal. As a result thereof, there is no option except to dismiss the case for non-prosecution.
4. Ordered accordingly.
5. Pending miscellaneous application(s) shall also stand disposed off.

January 12, 2023
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**(MAHABIR SINGH SINDHU)
JUDGE**

<i>Whether Speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>