

107 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

RSA-2962-2018
DECIDED ON: 21.09.2023

GURMAIL SINGH

.....APPELLANT

VERSUS

SUKHDEV SINGH AND ORS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE VIKRAM AGGARWAL.

Present: None for the appellant.

Mr. Namit Gautam Advocate
for respondents No.1 to 4.

VIKRAM AGGARWAL, J (ORAL)

1. On 10.08.2023, the following order was passed:-

“The present appeal was initially withdrawn on 28.02.2020 after a statement having been given by learned counsel for the appellant that since the parties had compromised the matter, he had instructions to withdraw the appeal. However, subsequently CM-1432-C-2021 was moved by the contesting respondents No.1 to 4 stating that no compromise had ever been effected between the parties. Under the circumstances, notice in the application was issued to the appellant. However, no one appeared on behalf of the appellant despite service which was duly recorded in the order dated 10.03.2022. Under the circumstances, the order dated 28.02.2020 was recalled and the appeal was restored to its original number. On the last date of hearing also i.e. 09.11.2022, no one appeared on behalf of the appellant. The Registry was directed to intimate the counsel for the appellant. The Registry has not

given any report with regard to the aforesaid direction and has instead reported that notice of motion has not been issued and respondents No.1 to 4 are being represented through counsel.

A direction is issued to the Registry to comply with the order dated 09.11.2022 and intimate the counsel for the appellant about the date fixed in the present appeal.

*List on **21.09.2023.***

2. The Registry has now reported that learned counsel for the appellant has stated that he has already returned the brief.
3. Since the appellant had previously also been served but did not choose to appear and even learned counsel for the appellant has stated that he has returned the brief, it appears that the appellant is not interested in pursuing the appeal.
- Dismissed for non-prosecution.

21.09.2023
Prince Chawla

(VIKRAM AGGARWAL)
JUDGE

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