

CM Nos.4065-C&4066-C of 2022&
CM No.4226-C of 2023 in/and
RSA No.1234 of 2022 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(103)

CM Nos.4065-C&4066-C of 2022&
CM No.4226-C of 2023 in/and
RSA No.1234 of 2022 (O&M)
Date of Decision : 01.05.2023

Satya Parkash

...Petitioner

Versus

Banshi Lal @ Roop Singh

...Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: None.

Harsimran Singh Sethi J. (Oral)

The present Regular Second Appeal was filed in the year 2022 and has already been adjourned five times on the request of learned counsel for the appellant and is still at the stage of preliminary hearing as no notice has been issued so far.

On 16.03.2023, the following order was passed:

“After arguing for some time, learned counsel for the appellant seeks a short adjournment to cite proposition of law to the effect that even if the agreement to sell has been entered into but the same can be treated as a security without their being any clause in the said agreement to sell.

Adjourned to 12.04.2023.

It is made clear that no further adjournment will be granted under any circumstances.”

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On 12.04.2023, the arguments were addressed and the following order was passed:

“After arguing for some time, apprehending an adverse order, learned counsel for the appellant submits that a short adjournment may kindly be granted to seek appropriate instructions from the appellant whether he intends to press the present appeal to be decided on merits or he intends he withdraw the same so as to enter into a compromise with the respondents.

Adjourned to 25.04.2023.

It is made clear that no further adjournment will be granted.”

Thereafter, on the next date of hearing, nobody appeared and the case was adjourned and even today, no one appears on behalf of the appellant to press the appeal, which makes it clear that the appellant is not interested in pursuing the present appeal.

Dismissed for non-prosecution.

May 01, 2023
jt

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No