

2025:PHHC:059373



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

**RSA-3248-1998 (O&M)
Decided on:-06.05.2025**

Mohan Paul Singh

....Appellant..

vs.

Karnail Singh and another

...Respondents.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Sandeep Bansal, Advocate
Mr. Gagandeep Singh, Advocate and
Mr. Sameer Kumar, Advocate,
for the appellant.

HARKESH MANUJA J. (Oral)

1. By way of present appeal, challenge has been laid to the judgments and decrees dated 16.02.1995 and 10.03.1998 passed by the Courts below, whereby, in a suit for possession by way of specific performance, the Court granted alternate relief of refund of earnest money along with interest @ 12% per annum in favour of respondent No.1-plaintiff.

2. The appellant-defendant No.1 being aggrieved thereof filed the present appeal, which was admitted for final hearing on 17.08.1999 and has now been listed for hearing.

3. Learned counsel for the appellant submits that despite making all sincere efforts, he has not been able to get in touch with the appellant and thus, is not in a position to make his submissions. He also submits that even the registered letter posted to intimate the appellant has been received back undelivered.

4. In view of the aforesaid, the present appeal is dismissed for non-prosecution. However, the appellant would be at liberty to approach this Court again, seeking restoration in case any cause survives.

5. Pending application, if any, stands disposed of.

06.05.2025

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(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/ No