



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

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**CM-14322-C-2012 in/and
RSA-5135-2012 (O&M)
Date of Decision.:17.07.2025**

Hari Om and Others

Appellants

Vs.

Digambar

Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: None for the appellants.

Mr. S.K. Bawa, Advocate
for the respondent.

DEEPAK GUPTA, J. (ORAL)

On the last date of hearing, following order was passed:

“Learned counsel appearing on behalf of the appellant requests for short adjournment submitting that arguing counsel is unwell due to which he is unable to appear.

There is no representation on behalf of the respondent.

In the interest of justice, adjourned to 17.07.2025.

It shall be last opportunity.

Intimation to counsel for the respondent be sent for the date fixed.”

Today nobody is appearing on behalf of the appellants, despite the fact that it was made clear on the last date of hearing that it shall be the last opportunity.

Paper-book as well as grounds of appeal have been perused.

Learned counsel for the respondent has been heard.



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It is revealed that based upon an agreement to sell dated 30.11.2004, the suit for specific performance was filed by plaintiff Digambar (*respondent herein*). The stand of the defendants was the denial of the agreement to sell. They also denied having received any earnest money. However after framing issues and taking evidence produced by both the parties trial Court decreed the suit on 29.11.2010. The appeal filed by the defendants i.e. appellants herein was dismissed by the first Appellate Court on 28.10.2011.

Against the aforesaid concurrent findings, the present appeal was filed.

However as noticed above, nobody appears for the appellants indicating that they are no longer interested in pursuing the appeal. Even otherwise, after going through the judgments passed by the Courts below, this Court does not find any ground to interfere in the concurrent findings of facts which have been recorded based upon proper appreciation of evidence.

Dismissed.

**(DEEPAK GUPTA)
JUDGE**

July 17, 2025

Neetika Tuteja

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No