

Ram Singh vs. Kamal D Lama

COMS No. 32 of 2018

19.09.2025 Present Mr. Ashok Sood, Senior Advocate with Mr. Abhishek Banta, Advocate, for the plaintiff.
Mr. Ashish Verma, Advocate vice Mr. B.S.Attri, Advocate, for the defendant.

OMP No.1139 of 2025

By way of instant application filed under Order 3, Rule 4(2) (a) CPC, prayer has been made on behalf of learned counsel representing the applicant/defendant to withdraw his Power of Attorney.

It is averred in the application, which is duly supported by the affidavit of advocate concerned, that on 30.06.2025, the suit was listed before the learned Registrar (Judicial) for recording of evidence, whereupon the statements of two plaintiff's witnesses were recorded. Though, learned counsel representing the applicant/ defendant duly intimated him with regard to recording of statements of plaintiff witnesses, but applicant/defendant neither responded nor appeared in the Court. It is further submitted that on earlier occasion also, learned counsel had also intimated the applicant/defendant through speed post letter on 07.11.2013 and thereafter on 04.12.2023 regarding the pendency of the suit, but he is not coming forward, as a result thereof, advocate concerned is not in position to conduct case on behalf of the applicant/defendant.

For the reasons stated in the application, the same is allowed and Mr. B.S.Attri, Advocate is permitted to withdraw his Power of Attorney. The application stands disposed of.

COMS No. 32 of 2018

Court notice be issued to the defendant, returnable for 9.12.2025. Registry, while issuing notice in terms of instant order, may specifically call upon the defendant to come present in person or through counsel on the next date of hearing, failing which, this Court shall have no option, but to decide the suit in his absence.

**(Sandeep Sharma)
Judge**

September 19, 2025
(shankar)