

RSA-2790-1986

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

RSA-2790-1986 (O & M)

Date of Decision: 02.02.2015

Santa Singh

... Petitioner(s)

Versus

Gurdev Singh and others

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE PARAMJEET SINGH

- 1) Whether Reporters of the local papers may be allowed to see the judgment ?.
- 2) To be referred to the Reporters or not ?.
- 3) Whether the judgment should be reported in the Digest ?

Present: Mr. Ashok Aggarwal, Advocate,
for the appellant.

Mr. Anshuman Chopra, Advocate,
for respondent no.1.

Paramjeet Singh, J.(Oral)

CM-6999-C-2014

Instant application has been filed for restoration of regular second appeal which was dismissed for non-prosecution on 22.01.2014.

Application is duly supported by the affidavit of Sh. Sanjeev Sharma, Clerk to Sh. Ashok Aggarwal, Advocate.

Heard.

Having heard counsel for the parties and for the reasons mentioned in the application, the same is allowed. Order dated 22.01.2014 is recalled and regular second appeal is restored to its

RSA-2790-1986

original number.

RSA-2790-1986 is taken on board.

RSA-2790-1986

Learned counsel for the appellant states that he is not in a position to file application for impleading legal heirs of respondents no.2 and 3 as he has no instructions on behalf of the appellant.

Relief claimed against respondents is inseparable. Since legal heirs of respondents no.2 and 3 have not been impleaded by the appellant, relief against them abates. Moreover, counsel for the appellant has no instructions to implead legal heirs of respondents no.2 and 3.

Dismissed for non-prosecution.

However, appellant will be at liberty to move appropriate application seeking revival of this appeal.

02.02.2015
parveen kumar

(Paramjeet Singh)
Judge