

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

**C.M. No. 68-C of 2014 in/&
RSA No. 2463 of 1987 (O&M)**

Date of decision : 06.01.2015

Didar Singh

....Appellant

V/s

Jagdish Kaur & anr.

....Respondents

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Manjit Singh Dhillon, Advocate
for the applicant-appellant.

Mr. Ramesh Sharma, Advocate for
Mr. B.S. Jaswal, Advocate for the respondent.

RAJAN GUPTA J.

C.M. No. 68-C of 2014

This is an application for restoration of the appeal which was dismissed for non-prosecution on December 06, 2013.

Learned counsel for the applicant submits that he could not appear on the said date due to reasons beyond his control. According to him, his non-appearance was unintentional.

Prayer for restoration is not opposed by learned counsel representing the respondents.

In view of above, application is allowed. Appeal is restored to its original position and number.

RSA No. 2463 of 1987

With the consent of parties, main case is taken for hearing today itself.

It appears that suit was instituted way back in the year 1984. Only prayer is for injunction to restrain defendant no. 1 from

taking forcible possession of the property as described in the plaint.
According to learned counsel for the appellant, no cause of action
may be surviving in the appeal now.

Under the circumstances, appeal is hereby dismissed as
having been rendered infructuous.

January 06, 2015
Ajay

(RAJAN GUPTA)
JUDGE