

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

Regular Second Appeal No.1767 of 1989 (O&M)

Date of Decision: 28.01.2015

Suraj Bhan and others

..... Appellants

Vs.

Dilbagh and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: None for the appellants.

None for the respondents.

JASWANT SINGH, J. (ORAL)

The plaintiffs are in appeal aggrieved against the judgment and decree dated 01.06.1989, passed by learned Additional District Judge, Rohtak, whereby the appeal of the defendants was allowed and suit of the plaintiffs/appellants for permanent injunction was dismissed while setting aside the judgment and decree dated 29.07.1988, passed by learned Sub Judge 1st Class, Jhajjar decreeing the suit of the plaintiffs and thereby restraining the defendants from interfering with the user of the Tubewell by the plaintiffs, which was situated over the property as detailed and described in Para 2 of the plaint.

This Court while issuing “*notice*” vide order dated 01.11.1989 had directed regarding maintaining of “*status quo regarding possession*”, which was confirmed vide order dated 16.03.1994.

The present appeal was listed for hearing on 09.11.2011 when none appeared for the appellants, since then it has been listed on three subsequent dates, when yet again none appeared for the appellants.

Today is the fifth occasion, when none has caused appearance on behalf of the appellants. Hence, this Court has no option but to dismiss the appeal for want of prosecution.

Dismissed for want of prosecution.

January 28, 2015
Gagan

(JASWANT SINGH)
JUDGE