

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

RSA No.1824 of 1987 (O&M)

Date of Decision: 22.12.2016

Partap Kaur and others

...Appellants

Vs.

Darbara Singh

...Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- None.

Amol Rattan Singh, J (Oral)

This appeal has been pending in this Court since 1987 and on the last date of hearing, Mr. S.K. Rana, Advocate for Mr. Malkiat Mann, Advocate, through whom originally the appeal was filed, had appeared and submitted that in fact the brief of the appeal had been taken away by the appellants and as such, Mr. Mann could not appear for the appellants.

Consequently, notice of the actual date of hearing had been sent to the appellants, as also to the respondent, returnable today.

The report of the Registry is to the effect that appellants no.1 and 2 and 4 to 7 remain unserved as their addresses are “incomplete”. Appellant no.3 also could not be served as the report of the registry is that there is no such village, Khanpura, “existing in Rajpura”.

As regards the sole respondent, Darbara Singh, the report of the Registry is also that the address is incomplete and as such he remains unserved.

It is seen that the addresses in the memo of parties before this Court are actually the same as those given before the learned Courts below, with the present appellants actually being the defendants in the suit filed by the respondent-plaintiff.

However, it is noticed that in the memo of parties before the learned lower appellate Court, the address of appellant no.3, Ranjit Kaur, was given as village Khaspura, District Patiala and not as village Khanpura. As to how Tehsil Rajpura come into picture, in the report of the Registry, is not understood.

But be that as it may, however, since the appellants are obviously no longer interested in pursuing the appeal, as they have even taken away the brief from the counsel who had originally filed the appeal, as recorded in the order dated 04.11.2016, this appeal is dismissed for non-prosecution.

A copy of this order be sent to the appellants, as also to the respondent, at the exact addresses given in the memo of parties before the learned Additional District Judge, Bhatinda.

December 22, 2016
vcgarg

(AMOL RATTAN SINGH)
JUDGE

1. Whether speaking/reasoned?
2. Whether reportable?

Yes/No
Yes/No