

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

RSA No.2159 of 1990 (O&M)

Date of Decision: 20.05.2016

Prem Sagar

. . . . Appellant

VS.

Sham Lal Gupta

. . . . Respondent

CORAM : HON'BLE MR.JUSTICE SURYA KANT

1. Whether Reporters of 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: Nemo

SURYA KANT J. (ORAL)

(1). This Regular Second Appeal is at the instance of defendant against whom a suit for recovery of ₹10000/- was dismissed by Court of first instance vide judgment and decree dated 11.11.1989 but the appeal of the respondent-plaintiff was allowed by the First Appellate Court vide judgment and decree dated 08.10.1990.

(2). The records reveal that operation of the judgment passed by the First Appellate Court was stayed on 21.11.1990 which was made absolute while admitting the appeal on April 09, 1991. The matter was taken up for final disposal on 28.07.2014 and this Court having been apprised with the fact that learned counsel representing the appellant had passed away, actual date notice of hearing of the appeal for 25.09.2014 was issued to both the parties.

(3). The office has reported that the appellant was duly served but the respondent decree-holder was not found residing at the given address.

(4). No one has come forward on behalf of the appellant. It seems that parties, having regard to the total amount in dispute, might have amicably settled the dispute and are not interested to continue with these proceedings.

(5). The appeal is accordingly dismissed for non-prosecution.

20.05.2016
vishal shonkar

(Surya Kant)
Judge