

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

CM No. 5246-C of 2016 in/and

RSA No. 290 of 1990

Date of decision :29.04.2016

Rajesh and another

..... Appellants

Versus

Matadin etc.

.....Respondents

CORAM : HON'BLE MR. JUSTICE DARSHAN SINGH

Present: Mr.Prem Nath Aggarwal, Advocate
for the applicants-appellants.

DARSHAN SINGH, J. (Oral)

CM No. 5246-C of 2016

This application has been filed for restoration of the
appeal.

Heard on the application.

In view of the reasons mentioned in the application,
the present application stands allowed and the present appeal
is hereby ordered to be restored at its original number and the
same is being taken up for hearing today itself.

R.S.A No. 290 of 1990

Learned counsel for the appellants contended that
as per the instructions received by him telephonically from the
appellant, the parties have compromised. Father of the

appellant-Matadin, who is plaintiff-respondent no.1 in the present appeal has also died. Thus, he contended that the present appeal has been virtually rendered infructuous and the same may be disposed of as such.

Keeping in view the aforesaid, the present appeal is hereby dismissed being infructuous. However, if any of the parties has any subsisting interest, he is at liberty to move the requisite application for revival of the appeal.

29.04.2016

S.khan

**(DARSHAN SINGH)
JUDGE**