

**505 RSA NO.2133 OF 1991 (O&M)
 HARVINDER PAL SINGH V/S AMAR KAUR AND OTHERS**

*** * * ***

Present: None.

*** * * ***

Harvinder Pal Singh, the sole appellant filed a suit for declaration that the land in suit was ancestral coparcenary and joint family property of the plaintiff and defendant No.3 and the various sale deeds executed between 1974 and 1977 in respect of land measuring 24 kanals 10 marlas are null and void. The suit was contested. The Trial Court by judgment and decree dated 07.02.1987 dismissed the suit. Plaintiff preferred an appeal which came to be heard by the learned Additional District Judge, Jalandhar. The learned First Appellate Court came to the conclusion that there is no justification to interfere with the finding of the Trial Court. The appeal was, consequently, dismissed by judgment and decree dated July 16, 1991. Hence, this appeal at the instance of the Harvinder Pal Singh, plaintiff.

Notices were issued to the respondents and it was reported that respondents 1 and 3 have since died and that respondent No.2 could not be served being out of country. Notice was also issued to the appellant as learned counsel, who filed the appeal had, in the meantime, been elevated to the bench of this Court. Notice issued to the appellant has been received back with the report that the appellant has refused to accept the notice and he was, consequently, served by affixation.

The appellant has not put in appearance either in person or through a counsel. In the aforesaid facts and circumstances, no useful purpose would be served to keep this appeal pending and the same is, consequently, ordered to be consigned to record with liberty to the appellant to get it revived in case of need. A copy of this order be sent to the appellant for his information.

**(G.C. GARG)
PRESIDENT**

**(N.K. KAPOOR)
MEMBER**

April 12, 2016

naina