

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

RSA No.4601 of 2010 (O&M)

Date of decision: 08.08.2016

HAWA KAUR

-Appellant

Versus

JAGDISH KUMAR & ORS

-Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Sanjiv Kodan, Advocate
for the appellant.

RAJ MOHAN SINGH, J. (ORAL)

On 04.10.2013, learned counsel for the appellant prayed for time to implead legal representatives of deceased appellant-Hawa Kaur. The needful was not done and thereafter, on 14.01.2014, yet another adjournment was given to comply with the order dated 04.10.2013. Thereafter, on 18.03.2014, last and final opportunity was given to learned counsel for the appellant to comply with the order dated 04.10.2013, but the same was not done. Ultimately, vide order dated 22.07.2014, one last and final opportunity was also given to move an application for impleading legal representatives of deceased appellant-Hawa Kaur. Despite the aforesaid opportunities, necessary application has not been filed till date. The appeal is of the year 2010 and the same is pending for the last four years

in preliminary hearing. Today also, learned counsel for the appellant submits that despite his best effort, legal representatives of deceased appellant-Hawa Kaur are not coming forward for the purposes of filing necessary application.

Faced with this situation, learned counsel for the appellant pleads no instruction. In view of aforesaid, this Court is left with no other alternative, but to dismiss the appeal for non prosecution.

Dismissed for non-prosecution.

(RAJ MOHAN SINGH)
JUDGE

08.08.2016
prince