

**HIGH COURT FOR THE STATES OF PUNJAB & HARYANA AT
CHANDIGARH**

RSA No.2070 of 1990

Date of decision:19.4.2017

M/s Hardev Gas Service and another

...Appellants

Versus

Ravinder Nath Mittal and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Ms.Aruna Bansal, Advocate for
Mr.T.S.Hundal, Advocate for the appellants.

RAMESHWAR SINGH MALIK, J. (Oral)

Feeling aggrieved against the impugned judgment of reversal dated 27.8.1990 passed by the learned Additional District Judge, defendants have approached this Court by way of instant regular second appeal.

Learned counsel for the appellants, at the very outset, fairly states that since the suit for mandatory injunction filed by the plaintiff-respondent was only to the effect, seeking a direction against the appellants for delivery of Gas Cylinder, Rubber Tube, Regulator to the Gas Connection No.6456 in favour of the plaintiff, no cause of action would survive in the very nature of things. She also submits that despite making best efforts on her part, no instructions are being passed on to her by the appellants, which also shows that they are no more interested in pursuing the present appeal, because of which she is unable to assist this Court.

In view of the above-said fair statement made by the learned counsel for the appellants, the instant appeal is dismissed, as not pressed.

19.4.2017
mks

(RAMESHWAR SINGH MALIK)
JUDGE

Whether Speaking/reasoned : Yes/No

Whether Reportable : Yes/No