

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

**CM No.5373-C-2015 in/and
RSA No.2565 of 1996 (O&M)
Date of Decision: March 16, 2017**

Shish Ram

Versus

.....Appellant(s)

Dalu and others

....Respondent(s)

CORAM:- HON'BLE MRS. JUSTICE SNEH PRASHAR

Present : None for non-applicant/appellant.

Mr. Jai Bhagwan, Advocate
for applicant/respondent No.4.

SNEH PRASHAR, J. (ORAL)

CM No.5373-C-2015

This is an application under Order 22 Rule 3 CPC for information regarding death of appellant and abatement of appeal filed by the applicant-respondent No.4.

Notice issued to the counsel representing the appellant vide Court's letter No.3601 dated 22.02.2017 has been received back duly served but neither he is present nor anyone has put in appearance on his behalf. Earlier also he was served but he did not appear. Learned counsel for applicant/respondent No.4 submits that appellant-Shish Ram had died unmarried and issueless on 25.08.2012 and the respondents are his legal heirs/legal representatives. To support his contention, he has filed an affidavit of Surrender-respondent No.4 dated 02.03.2017 in Court, which is taken on record.

In view of the observation made above and the submission of learned counsel for the applicant-respondent No.4, the application is disposed of and the main appeal is taken up today.

RSA No.2565 of 1996 (O&M)

Without commenting on the matter relating to the inheritance/status of legal representatives of the deceased-appellant, since there is no representation on behalf of the appellant for the last consecutively two dates and the appellant is stated to have died, the appeal abates and is dismissed as such.

March 16, 2017

ps-I

(SNEH PRASHAR)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No