

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

RSA No.2021 of 1998

Date of Decision:-05.07.2017

Gurbax Singh

.....Appellant

Versus

Gurdeep Singh and Ors.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Sh. Jitender Sharma, Advocate for the appellant-
plaintiff.

Mr. S.S. Swaich, Advocate for respondent Nos.1 to 4.

JASWANT SINGH, J.(ORAL)

The plaintiff is in second appeal assailing the judgment and decree dated 16.10.1995 passed by the learned Sub Judge, Ist Class, Fatehgarh Sahib whereby his suit for permanent injunction restraining the defendants from interfering in his possession over the residential house/suit property was dismissed as no evidence had been led by the plaintiff-appellant; further challenge is to the judgment and decree dated 23.2.1998 passed by the learned Addl. District Judge, Fatehgarh Sahib whereby the appeal was dismissed on the ground of limitation as also on merits.

After notice the appeal was admitted, however, concededly no interim order was passed.

It transpires that respondent Nos.5 to 9 were not served and therefore efforts for effecting service upon them were made.

At the time of hearing, learned counsel for the appellant-plaintiff submits that he had even moved an application under Order 41 Rule 14 CPC seeking to effect service upon respondent Nos.5 to 9 through their counsel before the District Courts at Fatehgarh sahib. He submits that inspite of repeated reminders being sent to his client, he has chosen not to respond.

In view of the above, present appeal is dismissed for non-prosecution.

July 05, 2017
manoj

(JASWANT SINGH)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>