

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

**RSA-301-2013 (O&M)**

**Date of Decision: April 06, 2017**

Itbari @ Itwari

.....Appellant(s)

Versus

Khima and others

....Respondent(s)

**CORAM:- HON'BLE MRS. JUSTICE SNEH PRASHAR**

Present :     Mr. Harish Bhardwaj, Advocate  
                     for the appellant(s).

Respondent No.1 ex parte.

Mr. Parveen Kumar Rohilla, Advocate  
for respondents No.2 to 4.

**SNEH PRASHAR, J. (ORAL)**

Perusal of the record shows that on 16.02.2015, counsel for the appellant had intimated to the Court that appellant Itbari @ Itwari has died. Since then the appeal is being repeatedly adjourned for filing required application for impleading legal representatives of the appellant but till date no such application has been filed.

Learned counsel for the appellant submits that he is unable to contact the legal representatives of the deceased-appellant and has no instructions to appear on their behalf.

In view of the matter, the appeal is dismissed for want of prosecution. In case, the legal representatives of the deceased-appellant appear, they will be at liberty to move an application for restoration of the appeal.

**(SNEH PRASHAR)  
JUDGE**

**April 06, 2017**

*ps-I*

Whether speaking/reasoned     :     Yes/No

Whether reportable                :     Yes/No