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

**RSA-1688-1990 (O&M)
Date of decision : 12.01.2018**

Smt. Dhanwanti (deceased) through her LR's and another

... Appellant(s)

Versus

Om Parkash and others

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. Vinay Kumar Mahajan, Advocate
for the appellant(s).

None for the respondent(s).

AMIT RAWAL, J. (ORAL)

The appellant(s)-plaintiff(s) are aggrieved of the concurrent findings of fact, whereby the suit of the appellant(s)-plaintiff(s) seeking protection from the Court with regard to the forcible dispossession and interference at the hands of the respondent(s)-defendant(s), of whom, they were tenants, had been dismissed by the Courts below on the ground that the appellant(s)-plaintiff(s) have not been able to prove that they are direct tenants under the defendant(s), whereas the ejectment proceedings placed on record on behalf of the defendant(s) showed that the rent note was executed by one Dhalu Ram in favour of Ram Krishan Dass, who was the father of defendant(s), therefore, ejectment order, copy of which is Ex.P-20, was held to be binding upon the plaintiff(s).

Learned counsel for the appellant(s) submits that despite having written number of letters to his clients, they have not contacted.

The appeal is of the year 1990. Though both the Courts below had not granted any injunction, but this Court on 18.08.1990 while admitting the appeal had stayed the dispossession. It is not discernible as to whether the appellant(s)-plaintiff(s) are in possession or had already surrendered the possession, much less, the defendant(s) have taken the possession.

Dismissed for non-prosecution.

However, liberty is granted to the appellant(s)-plaintiff(s) to revive the present appeal in case something survives.

12.01.2018
Yogesh Sharma

(AMIT RAWAL)
JUDGE

Whether speaking/reasoned **Yes/ No**

Whether Reportable **Yes/ No**