

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

FAO No. 1467 of 2007 (O&M)
Date of decision : April 24, 2018

Hari Kishan and others

..... Appellants

v.

Rajo Devi and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Sanjeev Gupta, Advocate
for the appellants.

Mr. Lajpat Sharma, Advocate
for Mr. Vivek K Khatri, Advocate
for respondents No.1 to 7.

Ajay Tewari, J (Oral)

On 4.2.2009, the following order was passed :-

“ Learned counsel for the appellants submits that in respect of estate of Jagdish, a succession certificate has already been granted by the Additional Civil Judge (Sr. Div) Hisar, vide her order dated 24.1.2007, in favour of the appellant, whereas, in the present case succession certificate of the same estate of Jagdish has been granted by Civil Judge (Sr. Div) Hisar vide order dated 14.2.2007, both in favour of the appellant as well as respondents.

It is also contended that the respondents herein have already filed a petition under Section 383 of the Indian Succession Act, 1925 for revocation of succession certificate issued in favour of the appellants by Civil Court at Hisar and the said matter is pending before the Civil Court at Hisar for 21.5.2009.

Adjourned to 8.7.2009.”

Thereafter, on 17.7.2017, the following order was passed:-

“ Learned counsel for the appellants prays for last opportunity for apprising the Court regarding the fate of the civil litigation relating to succession of late Jagdish, which was pending since 2005.”

Counsel for the appellants states that he had addressed two letters to the appellants earlier without receiving any response and has now written a registered letter three days ago to which also no response has been received.

In my opinion, enough time has been granted to counsel for the appellants and no further time can be granted. Consequently, this appeal is dismissed for want of prosecution with a caveat that if now the appellants contact the counsel after the said registered letter, he may move an application for restoration of this appeal upto 15.5.2018.

Since the main case has been decided, the pending C.Ms, if any, also stand disposed of.

April 24, 2018
'kk'

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No