

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

RSA No.2911 of 2017 (O&M)

Date of decision : 24.08.2018

Ran Singh

...Appellant

Versus

Dharambir

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Naveen S. Bhardwaj, Advocate for the appellant.

ANIL KSHETARPAL, J. (ORAL)

CM No.11585-C of 2018

Counsel for the appellant prays for permission to withdraw the miscellaneous application. Hence, miscellaneous application is dismissed as withdrawn.

Main case

It has been noticed that only respondent in the appeal is reported to have died. No application for bringing on record his LRs has been filed. Although, repeated opportunities have been given, rather than filing an application for impleading LRs, an application under Order 5 Rule 20 CPC was filed. On being pointed out that prima facie miscellaneous application would not be maintainable for publication against the dead respondent, counsel for the appellant sought permission to withdraw the miscellaneous application.

Learned counsel for the appellant has made a statement that they are unable to find out the legal heirs of the respondent.

Keeping in view the aforesaid fact, the main appeal is dismissed for non-prosecution.

24.08.2018

Pawan

(ANIL KSHETARPAL)

JUDGE

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No