

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

RSA No. 2292 of 1997

Date of Decision: 07.02.2019

Harbans Singh and another

.....Petitioners

Vs.

Kartar Singh and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: None.

AMOL RATTAN SINGH, J. (ORAL)

This appeal has been pending since the year 1997 and was filed on behalf of the appellant by Mr. Ravinder Chopra, Advocate.

He unfortunately having passed away, notice of an actual date of hearing was ordered to be issued to the appellants to enable them to engage a new counsel if they wish to, with fresh notice also issued to the respondents, counsel appearing earlier for them having been elevated to the Bench of this Court.

As per the report of the Registry, appellant no. 1 has died, with appellant no. 2 having gone abroad.

As regards the respondents, respondent no. 1 is stated to have died, notice issued to respondent no. 2 has not been received back served or otherwise, notice issued to respondent no. 3 could not be served due to an incomplete address and respondent no. 4 was not found to be residing at the given address.

In the aforesaid situation, with the whereabouts of the legal heirs/representatives of the first appellant not available and whereabouts of the 2nd

appellant also not available, with no counsel appearing for any party, this Court is left with no choice but to dismiss the appeal in default, but with liberty to the appellants to move an application for restoration thereof within a reasonable time, if they chose to do so.

February 07, 2019
nitin

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No.