

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

RSA-3456-2000 (O&M)

Date of decision: 29.03.2019

Kartar Singh

...Appellant

Versus

Amru and others

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: None.

JAISHREE THAKUR, J. (ORAL)

1. This regular second appeal has been filed seeking to challenge the judgment and decrees of the Civil Court and the Appellate Court whereby the suit for mandatory injunction directing the defendants to restore the Rasta shown as marked ABCD in the site plan, has been dismissed.

2. The matter was admitted on 01.08.2003 and thereafter, despite several reminders to the counsel for the appellant to get service effected, service is incomplete.

3. As per the office report, counsel for the appellant was asked to file process fee with fresh address of the unserved respondent Nos. 1 & 2, who had been reported as not residing at the previous address. However, counsel for the appellant failed to furnish the address as was required to be done. There are several letters available on the record in this regard. A few of them being letters dated 11.07.2018, 20.09.2018 and 19.11.2018. Even

on the last date of hearing, there was no representation on behalf of the appellant and in the interest of justice, this matter was adjourned for today to be taken up in the urgent list.

Even today no one has put in appearance on behalf of the appellant. It appears that the counsel for the appellant is not interested in pursuing the matter.

Dismissed for non-prosecution.

29.03.2019

Satyawan

**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned
Whether reportable

No.
No.