

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

RSA-430-2013 (O&M)
Date of Decision: September 23, 2019

Gurbachan Kaur

...Appellant

Versus

Gurbax Singh and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI, JUDGE.

Present: Mr. Naresh Prabhakar, Advocate,
for the appellant.

Mr. K.S. Boparai, Advocate,
for respondent Nos. 1 to 4.

ARUN PALLI, J. (ORAL)

On April 02, 2018, this Court had passed the following order:-

“ Learned counsel for the appellant has taken no steps to file the correct address of respondents No. 5 and 6, despite order to this effect. For the lapse on part of the appellant, she is imposed a costs of Rs.2500/-, which will be deposited in the Mediation and Conciliation Centre of this Court within a period of two weeks. On depositing of costs, the appellant will file correct address of respondents No. 5 and 6 within a period of two weeks, thereafter.

However, in the event of correct address of respondents No. 5 and 6 being not filed within the aforesaid period, the appeal against them shall be deemed as dismissed.

In the event of correct address being filed within the aforesaid period, notices to respondents No. 5 and 6 be issued for 20.08.2018.”

Office report indicates that the addresses of respondent Nos. 5 and 6 have not been filed to-date though more than a year has gone by.

Ex facie, this Court while passing the order, referred to above, had observed in no uncertain terms that in the event, the correct address of respondent Nos. 5 and 6 is not filed within the stipulated period, the appeal against them shall be deemed as dismissed. Needless to assert the order having not been complied with, the appeal qua respondent Nos. 5 and 6 is deemed to have been dismissed. Besides this, learned counsel for the appellant submits that despite repeated communications and reminders neither the appellant nor anyone on her behalf has contacted his office to pursue the matter, for the past more than one year and, therefore, he is unable to prosecute the same.

In the wake of the above, the appeal is dismissed for non-prosecution.

(ARUN PALLI)
JUDGE

September 23, 2019

Pk Kapoor	Whether Speaking/Reasoned:	YES / NO
	Whether Reportable:	YES / NO