

RSA-3340-2018 (O&M)

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

**RSA-3340-2018 (O&M)
Date of decision : 30.01.2019**

Manjinder Singh

... Appellant

Versus

Amrik Singh and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present: Ms. Riya Sharma, Advocate for
Mr. Vikas Bali, Advocate
for the appellant.

AMIT RAWAL, J. (ORAL)

The short point involved in the present regular second appeal is whether the plaintiff in a suit instituted in the year 1998 claiming declaration by challenging the judgments and decrees rendered in Civil Suit No.19 of 1989, decided on 18.07.1991, can be granted opportunity to lead the evidence having failed to lead till 2014. The answer is 'No'. The trial Court decided the suit on merits, as the plaintiff failed to lead evidence despite imposition of costs.

It is strange that the suit was pending in the trial Court for 16 years since 1998 , the plaintiff was not vigilant in pursuing the remedy.

No ground is made out for interference. Accordingly, the application seeking condonation of delay of 140 days in refileing as well as the present regular second appeal are dismissed.

30.01.2019
Yogesh Sharma

**(AMIT RAWAL)
JUDGE**

Whether speaking/reasoned **Yes/ No**

Whether Reportable **Yes/ No**