

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH.

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CR No.7024 of 2018 (O&M)
Date of decision:4.3.2020

Sanjay Kumar

... Petitioner

versus

Bharmi Devi and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH.

Present: Proxy for Mr.Anuj Balian, Advocate,
for the petitioner

...

AMOL RATTAN SINGH, J. (Oral)

As recorded in the order dated 2.8.2019, respondent no.1 was reported to have died, with notices issued to respondent no.3 having been received back with the remarks that no such person was found residing at the given address, though respondents no.2 and 4 were shown to have been served. However, with none appearing for them, they were ordered to be proceeded against *ex parte*.

Fresh notice was ordered to be issued to respondent no.3, returnable on 29.10.2019, by ordinary process, by registered post, as also *dasti*, upon the petitioner providing his correct address etc., with it also directed that legal heirs of respondent no.1 be impleaded, if needed.

On 29.10.2019, it seems that the turn of the case did not come up and consequently it was adjourned "By Order" to yesterday, and has been listed today as I was not holding court yesterday.

As per the report of the Registry, no steps have been taken to either implead the legal heirs of respondent no.1, nor even to try and serve respondent no.3 in the manner directed vide the order dated 2.8.2019.

Learned counsel for the petitioner seeks an adjournment which cannot be entertained in view of the fact that the last part of the order dated 2.8.2019 is that in case of non-compliance of that order, in letter and spirit, the revision would 'positively be dismissed for want of prosecution'.

In view of the above, dismissed for want of prosecution.

4.3.2020
pk

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No