

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

RSA-1039-1990 (O&M)

Date of decision: 03.02.2020

Satbir

...Appellant

Versus

Jagbir Singh and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: None.

ARUN MONGA, J. (ORAL)

1. Challenge herein the judgment of trial Court dated 24.01.1989 as affirmed by the lower Appellate Court vide judgment dated 10.04.1990. Aggrieved against the same, the instant regular second appeal has been filed.

2. Suit filed by plaintiff seeking permanent injunction to restrain defendants from encroaching the street, was dismissed on 24.01.1989 and the first Appellate Court upheld the decision. No stay was granted while admitting the appeal.

3. Case called twice but none has put in appearance on behalf of the parties. It seems that due to sheer pendency of appeal more than 29 years, either the appellant lost his interest in prosecuting his case or the relief sought herein is rendered infructuous.

4. In view of above, disposed of as infructuous, with liberty to the appellant to file appropriate application, if any cause of action still survives.

03.02.2020

Satyawan

Whether speaking/reasoned
Whether reportable

**(ARUN MONGA)
JUDGE**

Yes/No.
Yes/No.