

Sr.No.401
IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

RSA-237-1990
Date of Decision: 27.01.2020

STATE OF PUNJAB

... Appellant

Versus

FAQUIR CHAND

...Respondent

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- None.

ARUN MONGA, J.(ORAL)

Challenge herein the judgment dated 19.10.1988 passed by the court of Additional Senior Sub-Judge, Bathinda as upheld by the first Appellate Court vide its judgment dated 07.08.1989.

Suit filed by plaintiff for permanent injunction restraining the defendant from recovering Rs.18,168/- as royalty for the use of brick earth from him and his suit was decreed. Appeal filed by the respondents/appellant find no favour. Hence, the present regular second appeal. It seems that sheer pendency of the appeal for the past more than 29 years rendered the relief infructuous or State is not interested in prosecuting the present appeal due to law settled down of the Division Bench of this Court vide judgment dated 24.08.1990 in LPA No.662 of 1986.

In view of the above, appeal is disposed of as having been rendered infructuous with liberty to file an appropriate application, if any cause of action still survives.

(ARUN MONGA)
JUDGE

27.01.2020

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Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No