

Sr.No.403
IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

RSA-313-1990 (O&M)
Date of Decision: 27.01.2020

NASIB KAUR

... Appellant

Versus

KARNAIL SINGH

...Respondent

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- None.

ARUN MONGA, J.(ORAL)

Under challenge herein is a judgment dated 06.08.1988 passed by trial court as upheld by the first Appellate Court vide its judgment dated 20.10.1989.

Plaintiff filed suit for possession of land measuring 4 Kanal 4 Marlas by way of specific performance of contract dated 19.04.1986 and an alternative prayer for recovery of Rs.4,000/- was also made. Plaintiff was granted alternative relief but he filed an appeal against the said judgment. His appeal was allowed and suit was decreed on 20.10.1989. Aggrieved against the finding of court below, defendant/appellant is before this court in Regular Second Appeal. Even though interim stay was granted on the operation of judgment and decree under challenge but it seems that either by sheer efflux of time for the past more than 29 years, the appellant has lost interest or even otherwise, the relief sought by him has been rendered infructuous.

Be that as it may, case called twice but none has appeared on behalf of the appellant. Dismissed for non-prosecution.

(ARUN MONGA)
JUDGE

27.01.2020

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Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No