

Sr.No.398
IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

RSA-76-1990
Date of Decision: 27.01.2020

CHARAN KAUR ETC.

... Appellants

Versus

KISHAN SINGH ETC.

...Respondent

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- None.

ARUN MONGA, J.(ORAL)

Challenge herein the judgment dated 08.06.1987 passed by Sub-Judge, 1st Class, Amritsar as affirmed by the first Appellate Court vide judgment dated 24.08.1989.

Suit filed by plaintiff seeking relief of permanent injunction restraining the defendant from encroaching upon the path which was dismissed on 24.08.1989 and appeal filed by plaintiff find no favour and dismissed on 24.08.1989. By way of present appeal, appellant challenge the concurrent finding of the court below. No interim order was passed in his favour.

Case called twice but none appear on behalf of the parties. It seems that sheer pendency of the appeal for the past more than 29 years rendered the relief sought herein infructuous or the appellant has lost his interest in prosecuting the appeal.

The appeal is disposed of as having been rendered infructuous with liberty to the appellants, if so advised, to file appropriate application, if any, cause of action still survives.

(ARUN MONGA)
JUDGE

27.01.2020

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Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No