

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

**RSA NO. 1116 OF 1992
DATE OF DECISION : 04.03.2020**

Jaswant Rai Jain

...Appellant

versus

Varinder Kumar and others

...Respondents

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : None for the appellant.

Ms. Aparna Singhal, Advocate,
for respondents No.3 to 6, 8 to 10.

ARUN MONGA, J. (ORAL)

Having suffered the concurrent adverse findings by the two Courts below, the plaintiff is before this Court in Regular Second Appeal assailing the trial Court judgment and decree dated 14.12.1987 as upheld by the learned First Appellate Court vide its judgment and decree dated 21.10.1991.

2. A suit seeking possession of 10 kanals 17 marlas of suit land after demolition of construction along with permanent injunction restraining the defendants from alienating the suit property, was dismissed by the trial Court. Feeling aggrieved, the plaintiff preferred first appeal which was also dismissed vide judgment and decree dated 21.10.1991 upholding the findings returned by the trial Court. The instant second appeal was filed in the year 1992. No interim relief was granted at the time of admission of present appeal on 22.04.1994.

3. Case called twice but no one has put in appearance on behalf of the appellant.

4. By sheer pendency of the appeal for more than 27 years before this Court, it seems to have either been rendered infructuous or even otherwise, the appellant seems to have lost interest in pursuing the same.

5. In the premise, the instant second appeal is disposed of as infructuous, with liberty to the appellant to file an appropriate application, in case any cause of action still survives.

(ARUN MONGA)
JUDGE

MARCH 04, 2020
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1.	Whether speaking/reasoned :	Yes/No
2.	Whether reportable :	Yes/No