

**Sr. No.4
IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

RSA No.1441 of 1989 (O&M)

Date of Decision: 05.03.2020

Gram Sabha Kaliwal

... Appellant

Versus

Kartar Singh and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- None.

ARUN MONGA, J.(ORAL)

1. Regular Second Appeal herein was filed in the year 1989 arises out of a civil suit, which was filed way back in the year 1985 for permanent injunction restraining defendant No.1 from interfering in the peaceful possession of the plaintiffs and further restraining the defendants from draining in or taking the water of the village into the land in question through drains, Rasta or in any manner and was decreed on the basis of compromise on 20.08.1987. Appeal filed by the defendants was dismissed on 03.03.1989.

2. While admitting the present regular second appeal, status quo was ordered to be maintained till its decision.

3. Case has been called out twice but there is no representation on behalf of the parties.

4. By sheer pendency of the appeal for more than 31 years before this Court it seems to have been either rendered infructuous or even otherwise the appellant seems to have lost interest in pursuing the same.

5. Regular Second Appeal is, accordingly, disposed of as infructuous with liberty to the appellant to file an appropriate application, in case any cause of action still survives.

05.03.2020
vandana

(ARUN MONGA)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No