

Sr. No.587

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

RSA-631-1992 (O&M)
Date of Decision: 03.03.2020

DHAN SINGH (DECEASED) THRU LRS

... Appellant

Versus

RISAL SINGH & ORS.

... Respondents

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- None for the appellant.

Mr.Amit Jain, Advocate
for the respondents.

ARUN MONGA, J.(ORAL)

1. Challenge herein is to the judgment and decree dated 20.01.1992 passed by the First Appellate Court.

2. Suit filed by plaintiff-respondent for specific performance of the agreement to sell dated 22.07.1983 was dismissed and alternative relief of recovery of Rs.16,000/- was granted in favour of the plaintiff by the trial Court vide judgment dated 04.01.1991. The First Appellate Court reversed the findings returned by the trial Court and decreed the suit in favour of the plaintiff-respondent for specific performance of the agreement. Hence, the Regular Second Appeal by defendant.

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

4. From sheer pendency of the appeal for more than 27 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 file an appropriate application, in case, any cause of action still survives.

03.03.2020
Sonu

(ARUN MONGA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No