

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

**RSA NO. 716 OF 1992 (O&M)
DATE OF DECISION : 04.03.2020**

Rajo

...Appellant

versus

Didar Singh and others

...Respondents

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : None for the parties.

ARUN MONGA, J. (ORAL)

Challenge herein is to the judgment and decree dated 02.12.1991 passed by the First Appellate Court, whereby judgment and decree passed by the trial Court dated 26.10.1991 was set-aside and the suit as well as appeal, both were dismissed.

2. Plaintiff filed suit for joint possession of the suit land being the sole legal heir of deceased Kartar Singh. The Will executed in favour of defendants No.1 to 4 was also challenged as illegal document. The said suit was decreed by the trial Court on 26.10.1990. First appeal filed by the respondents/defendants was allowed and the suit filed by the plaintiff was dismissed.

3. The instant regular second appeal was filed way back in the year 1992. No interim relief was granted in favour of the appellant while admitting the appeal on 21.05.1992.

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

5. By 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.

6. 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.

(ARUN MONGA)
JUDGE

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