

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

**RSA NO. 2496 OF 1991 (O&M)
DATE OF DECISION : 02.03.2020**

Gram Panchayat Chelawas

...Appellant

versus

Swarup Lal

...Respondent

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 18.11.1991 passed by First Appellate Court vide which the appeal preferred by the plaintiff (respondent herein) was allowed and the judgment and decree dated 28.02.1991 passed by the trial Court was set-aside.

2. Suit for permanent injunction restraining the defendants from dispossessing the plaintiff from suit land on which he is in possession as tenant "Gair Marusi", filed by the plaintiff/respondent was dismissed by the trial Court on 28.02.1991. Plaintiff/respondent assailed the judgment and decree dated 28.02.1991 before the First Appellate Court and his suit was decreed by accepting the appeal vide judgment and decree dated 18.11.1991.

3. The instant regular second appeal was filed way back

in the year 1991. Interim relief was granted by this Court while admitting the appeal on 19.12.1991.

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 28 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 02, 2020

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| 1. | Whether speaking/reasoned : | Yes/No |
| 2. | Whether reportable : | Yes/No |