

Sr.No.517/1

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

RSA-1222-1991 (O&M)

Date of Decision: 17.02.2020

M.C. ABOHAR

... Appellant

Versus

SMT. NEELAM KHUNGER & ANR.

.. Respondent

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- None.

ARUN MONGA, J.(ORAL)

1. Challenge herein is to the judgment dated 18.07.1990 and 07.01.1991 passed by the trial Court and First Appellate Court respectively.

2. Suit had been filed by plaintiff (respondent herein) for permanent injunction restraining the defendant from realising Rs.810/- (house tax) and Rs.337.50 (water tax) for the year 1987-88 and 1988-89. It was partly decreed by the trial Court vide judgment dated 18.07.1990 restraining the defendant from recovering Rs.337.50/- on account of water tax for the year 1987-88, 1988-89 with respect to house bearing No.B-VI 192/165. Defendant filed appeal against the judgment dated 18.07.1990 and learned First Appellate court upheld the decision of the trial court and dismissed the appeal filed by the defendant-appellant vide judgement dated 07.01.1991.

3. By way of this appeal, appellant/defendant has challenged the findings of trial Court and First Appellate Court.

No interim order was passed in favour of the appellant/plaintiff .

4. It seems that by sheer efflux of time for the past more than 29 years, the appellant-defendant has either lost interest or even otherwise, the relief sought by him has been rendered infructuous.

5. Be that as it may, the appeal is disposed of as infructuous with liberty to file an appropriate application in case any cause of action still survives.

17.02.2020
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(ARUN MONGA)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No