

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

RSA-2251-1992

Date of decision: 29.10.2022

Divisional Canal Officer Sangrur, Division Sangrur and others

... Appellants

Versus

Mukand Singh (deceased) through LRs and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI, JUDGE

Present: Mr. Avinit Avasthi, Assistant Advocate General, Punjab,
for the appellants.

None for the respondents.

...

ARUN PALLI, J. (Oral)

The records show that vide order dated March 1, 1993, the State was granted time to move the necessary application to implead the LRs of respondent No.6, who was stated to have passed away during the pendency of the appeal. Almost three decades have gone by but concededly no such application has been moved.

Learned State counsel fairly submits that in context of the relief claimed by the respondents-plaintiffs in the suit and the decree passed by the appellate Court in their favour, the matter appears to have lost its efficacy and the appeal is rendered infructuous with the efflux of time. Thus, it is urged the same be disposed of as such. However, he submits that in case any dispute, cause of action or interest still survives, the appellant be granted liberty to move appropriate application for restoration of the appeal and its decision on merit.

In the wake of the above, the appeal is disposed of as having been rendered infructuous with the liberty prayed for.

29.10.2022

Rajan

**(Arun Palli)
Judge**

Whether speaking / reasoned:

YES

Whether Reportable:

NO