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

**RSA-1550-2013 (O&M)
Date of Decision: 16.11.2022**

Joginder Singh

.. Appellant

Vs.

Balwant Singh and another

..Respondents

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Naveen Sharma, Advocate for
Mr. Vijay Lath, Advocate for the appellant.

Mr. Lavish Rattan, Advocate for
Mr. Surinder Sharma, Advocate
for the respondents.

...

Manoj Bajaj, J. (Oral)

The appellant has filed this appeal to challenge the judgment and decree dated 16.10.2012 passed in CA No.1100087/2011 by first appellate Court, thereby affirming the judgment and decree dated 21.09.2011 passed in Civil Suit No.127 of 2011 by Civil Judge (Sr. Divn.), Jalandhar, dismissing his suit for permanent injunction.

The cause of action as per the plaint had accrued in favour of the plaintiff in the year 2011, when the suit was filed and after dismissal of the suit, the appeal filed by the plaintiff was also dismissed on 16.10.2012.

Thereafter, the appellant-plaintiff preferred this regular second appeal in the year 2013, which was never pressed as notice of motion in this appeal was issued after three years i.e. on 10.12.2015, and thereafter also, consistently requests for adjournments have been made.

Today again, a similar request is made and concededly after

dismissal of the first appeal, no interim injunction has been granted in favour of the plaintiff.

Thus, considering the lapse of time as well as lack of interest on behalf of the plaintiff in this appeal, it seems that the cause of action initially accrued in favour of the plaintiff stands vanished.

Consequently, the appeal is dismissed.

16.11.2022

Jasmine Kaur

(MANOJ BAJAJ)

JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No