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

CR No. 6182 of 2018

DATE OF DECISION : 05.01.2023

Dalip Singh

...Petitioner

versus

State of Haryana and others

...Respondents

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : None for the petitioner.

ARUN MONGA, J. (ORAL)

Assailed herein is an appellate order dated 05.02.2018 (Annexure P-2) passed by learned Additional District Judge, Rohtak, upholding an order dated 09.12.2015 (Annexure P-1) passed by learned Civil Judge (Junior Division), Meham vide which application filed by the petitioner under Order 39 Rules 1 and 2 read with Section 151 CPC was dismissed.

2. On 01.03.2019, this Court had passed the following order :

“ Ld. Counsel for the petitioner submits that he has no instructions from his client to take any steps in the matter.

Let the petitioner be personally notified for 29.08.2019.”

3. On 08.04.2022, when none appeared this Court made the following observations :

“ In spite of having been served a notice of this Court calling upon the petitioner to put in appearance necessitates

that notice be sent to the petitioner through concerned Civil Judge (Senior Division) and Station House Officer for 22.09.2022.”

4. As per office report, notice issued to petitioner through learned Civil Judge (Senior Division) was received back with the report “*passed away*”.

5. On resumed hearing today, even on second call, none appears on behalf of the petitioner.

6. Petition is dismissed in default for want of prosecution.

JANUARY 05, 2023
Shalini

(ARUN MONGA)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No