

2023:PHHC:161896

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
322**

RSA-164-2002

Date of decision: December 16, 2023

JOGINDER KAUR

.....APPELLANT

Versus

PHUMAN SINGH

.....RESPONDENT

CORAM: HON'BLE MRS. JUSTICE RITU TAGORE

Present: None.

RITU TAGORE, J. (ORAL)

On 20.11.2023, following order was passed:-

“ There is no representation on behalf of the parties.

LCR has been received.

As per office report, sole appellant remains unserved as he is not residing at the given address and respondent is reported 'died'. Letter issued to Mr. Kanwaljit Singh, Senior Advocate who originally filed the present appeal, has been received back with the report 'papers had been returned to the party' and letter issued to Mr. Ramesh Sharma, Advocate, representing the respondents has been received back duly served.

Let notice be issued to the appellant for the next date of hearing.

Mr. Ramesh Sharma, Advocate, representing the respondents be notified of the next date of hearing.

List the matter for arguments on 15.12.2023.”

Perusal of file shows that Sh. Kanwaljit Singh, Advocate, had filed appeal. Notice sent to Sh. Kanwaljit Singh, Advocate, has been received with report that “papers were returned to the party”. Notice was accordingly given to sole appellant.

As per the report of the Registry, notice issued to the sole appellant has been received back with the report 'not residing at the given address'.

Notice to sole respondent has also been received back with report of his death. Mr. Ramesh Sharma, counsel for the respondent, was also informed through e-mail. On call, counsel for the respondent has also not put in appearance.

Perusal of the file shows that none has put in appearance on behalf of the appellant since 02.08.2023. This Court is also not having any other alternative address except for the address given in the appeal.

In view of above, the Court is of the view that the appellant is not interested in pursuing the appeal any further. Therefore, the same is dismissed in default and for non-prosecution.

December 16, 2023

pj

**(RITU TAGORE)
JUDGE**

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No