

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

203

RSA No.1881 of 1990(O&M)

Date of Decision: 19.04.2023

Balkar Singh

...Appellant

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS SURI

Present:- None for the appellant.

Ms. Harsh Rekha Kapoor, AAG, Haryana.

VIKAS SURI, J. (Oral)

The present regular second appeal was instituted through Dr. Gurmit Singh, Advocate, who is stated to have expired.

On 14.12.2022, the following order was passed:-

“As per the office report, this appeal was filed through late Sh. Gurmit Singh, Advocate, who is stated to have expired.

Hence, let the office issue notice to the appellant, for 19.01.2023.”

As per office report, respondent No.3 is served, whereas notice issued to the sole appellate has been received back with the report, died. No legal representative of the deceased sole appellant has come forward to pursue the present appeal.

Despite service, none has put in appearance on behalf of respondent No.3, who was a co-plaintiff along with the deceased appellant herein.

In light of the above, it appears that the private parties are not interested to pursue the present appeal and in the absence of counsel for the appellant or the legal representatives of the deceased sole appellant having been brought on record, this Court has no other option but to dismiss the appeal for want of prosecution.

Ordered accordingly.

However, liberty is granted to the legal representatives of the deceased sole appellant, in case the right to sue still survives, to move an appropriate application for revival of the appeal within a reasonable time.

(VIKAS SURI)
JUDGE

April 19, 2023

vcgarg

Whether speaking/reasoned:

Yes

Whether reportable:

No