

Sr. No.401

2023:PHHC:061512

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

RSA-1114-1993 (O&M)

Date of Decision: 13.03.2023

BOOTA SINGH

...Appellant

Vs.

RAI SINGH & ORS.

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. Ajay Jain, Advocate
for the appellant.

Mr. Ashok Kumar, Advocate
for respondent No.1.

ARUN MONGA, J. (ORAL)

This case was taken up for hearing on 12.01.2023, when learned counsel Mr. Ajay Jain, Advocate stated that he has not filed his power of attorney but he is appearing out of professional courtesy as the appeal was earlier filed by his father, who has expired during the pendency of this appeal and he sought time to contact appellant. He also seeks to issue notice to appellant as well as remaining respondents.

2. Petition was admitted for hearing on 10.12.1993.

3. When taken up for final adjudication, after around 30 years, both learned counsels are unable to assist the Court for lack of instructions. Learned counsel for the appellant states that despite attempts, his office could not contact the appellant. In the premise, no useful purpose would be served to issue fresh notice to appellant as the same too would be an exercise in futile. Even the address of the appellant is also perhaps not complete as is borne out from the memo of parties.

4. Be that as it may, the second appeal is dismissed for non-prosecution to file an appropriate application as and when appellant contact his counsel.
5. Pending application(s), if any, also stands disposed of.

(ARUN MONGA)
JUDGE

13.03.2023
M.Sikka

Whether speaking/reasoned:Yes/No

Whether reportable:Yes/No