

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

RSA-2712-1993 (O&M)
Date of decision: 17.01.2023

SHIV RAM DASS ...Appellant
VS
MELA RAM & ORS ...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Ms. Perna Malhotra, Advocate for
Mr. Prateek mahajan, Advocate,
For the appellant.

ARUN MONGA, J. (ORAL)

Having suffered concurrent adverse findings by the two Courts below, the plaintiff/appellant is in second appeal before this Court assailing the trial Court judgment and decree dated 07.01.1992, as upheld by the learned First Appellate Court vide its judgment and decree dated 28.05.1993 dismissing the suit of the plaintiff for mandatory injunction.

- 2. Appeal was admitted on 26.08.1994.
- 3. When taken up for final adjudication, learned counsel is unable to assist the Court for lack of instructions. Learned counsel for the appellant states that despite repeated attempts, her office could not contact the appellant.
- 4. It seems that by sheer effluxion of time and pendency of the appeal for more than 29 years before this Court, either it has been rendered infructuous or else the appellant seems to have lost interest in pursuing the same.
- 5. Be that as it may, appeal is dismissed with liberty to the appellant to file an appropriate application in case any cause of action still survives.
- 6. Pending application(s), if any, shall also stand disposed of.

(ARUN MONGA)
JUDGE

17.01.2023

vandana
Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No