

[363] IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

RSA-1523-1992

Date of Decision :13.03.2023

Shera Ram ...Appellant

versus

Inderjit and othersRespondents

Coram : Hon'ble Mr. Justice B.S. Walia

Present : Mr. G.S. Bhatia, Advocate for the appellant.
Mr. Balraj Singh Sidhu, Advocate for the respondents.

B.S. Walia, J. (Oral)

[1] The instant regular second appeal is against the concurrent findings recorded by both the Courts below against the appellant-defendant in a suit for declaration that the respondents-plaintiffs were owners to the extent of 1/3rd share of the land measuring 11 feet x 20 feet, out of 4 marlas comprised in Rect. No.21, Khasra No.8/1 Min, as described in the head-note of the plaint, with consequential relief of possession and for restraining the defendant from realizing the rent from the Punjab & Sind Bank Branch of Village Wasal Mohan Ke.

[2] At the outset, learned counsel for the appellant states that he had written to the appellant to seek instructions but the postal article has come back with the remarks that the addressee has left the address without leaving any forwarding address.

[3] Learned counsel states that in the circumstances he has no instructions in the matter.

[4] The appeal is of the year 1992.

[5] In the circumstances, no useful purpose would be served by sending notice to the appellant at his last known address as in view of the statement of learned counsel for the appellant, the postal article addressed by him to the appellant has been returned back with the remarks that the appellant has left the village without leaving any forwarding address.

[6] Accordingly, in view of the statement of learned counsel for the appellant pleading no instructions, the appeal is dismissed for want of prosecution while granting liberty to the appellant to move an application for restoration of the appeal, if cause survives.

(B.S. Walia)
Judge

13.03.2023
'Rajneesh/Rajesh'

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