

Sr. No.858

2023:PHHC:047360

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

RSA-1681-1992 (O&M)
Date of decision: 28.03.2023

Chotta Singh ...Appellant
Vs.
Nand Singh and others ...Respondents

CORAM: HON’BLE MR. JUSTICE ARUN MONGA

Present: None for the appellant.

Mr. A.K.Verma, Advocate,
For the respondents.

ARUN MONGA, J. (ORAL)

None appears for appellant, while on the other hand, learned counsel for respondents, at the outset, submits that per his instructions, the appeal is rendered infructuous, as vide judgment and decree under challenge, the defendant was restrained from dispossessing the plaintiff qua the area in his possession until formal partition proceeding takes place. He submits that though he cannot say with certainty whether the partition proceedings have taken place, but given sheer passage of time, it is likely that parties have invoked partition proceedings and same have been carried out.

Be that as it may, appeal is dismissed for non-prosecution with liberty to the appellant to revive the same in case aforesaid statement is found incorrect.

(ARUN MONGA)
JUDGE

28.03.2023
vandana

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