

**RSA-2123-1992 AND
RSA-2124-1992**

- 1 -

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

202-1

1)

**RSA-2123-1992 (O&M)
Decided on : 01.09.2023**

Bidhi Singh (Deceased) through LRs

... Appellant(s)

Versus

Gurbachan Kaur (Deceased) through LRs

... Respondent(s)

2)

RSA-2124-1992 (O&M)

Bidhi Singh

... Appellant(s)

Versus

Sheetal Kaur

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

**PRESENT: Mr. Brijender Kaushik, Advocate
for the appellant(s).**

SANJAY VASHISTH, J. (Oral)

1. This order shall dispose of two appeals i.e. RSA-2123-1992 (O&M) and RSA-2124-1992 (O&M), as both the appeals are interconnected and issue involved therein is similar.

2. Counsel appearing for the appellant(s) submits that present appeal was instituted by Bidhi Singh (defendant No.2), whereby, concurrent finding of decretal of suit in favour of plaintiff(s), was challenged.

2. Counsel for the appellant(s) submits that suit filed by the plaintiff, was for seeking of mandatory injunction directing the defendants to remove wall, which was erected in front of the door, window and panels of the plaintiff's house. Looking at the nature of dispute and the time period

RSA-2123-1992 AND
RSA-2124-1992

- 2 -

elapsed thereafter, counsel submits that because of no communication with the LRs of appellant(s) (defendant No.2) or any of the family members, he is unable to address arguments. Even, no legal heir or legal representative of Bidhi Singh, has ever contacted him.

3. Considering the submissions made by counsel for the appellant, both the present appeals [i.e. RSA-2123-1992 (O&M) & RSA-2124-1992 (O&M)] stand dismissed for want of prosecution.

However, liberty is granted that if appellant(s) still wishes to pursue with the appeal, they can move an application within two months from today for revival of present appeal.

Photocopy of this order be placed on the file of connected case.

(SANJAY VASHISTH)
JUDGE

September 01, 2023

J.Ram

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*