

207 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

RSA-229-1992(O&M)
Date of Decision:- 13.10.2023

LAL SINGH S/O SHEONARAINAppellant

Verses

PARBHATI LAL & ORS. ... Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present:- None.

The present appeal was admitted on 06.09.1993. Respondent No.1 was the only contesting appellant-respondent in the suit before the learned trial court. Vide this Court's order dated 25.03.1992, respondent Nos. 2 to 4 have been proceeded *ex-parte*.

On 03.03.2015, the office was directed to serve respondent No.1 through his counsel i.e. Mr. R. P.Yadav, Advocate and on 10.05.2017, this Court directed the office to issue actual date notice to the appellants as it was noticed that the learned counsel for the appellant was unfortunately passed away and there was no representation on behalf of either of the parties.

On 11.08.2023, this Court has directed the office that service of the parties be got effected through the concerned District and Sessions Judge.

On the last date of hearing i.e. 29.09.2023, there was no representation on behalf of the parties and the case was adjourned to 04.10.2023 in the interest of justice.

Even today, no one has put in appearance. The office report indicates

that the service was effected through the concerned District and Sessions

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Judge that the appellant as well as respondent No.1 had expired during the pendency of the present appeal. Respondent Nos. 2 to 4 have been served but they have already been proceeded *ex-parte* vide order dated 25.03.1992, appellant-respondent No.1 was only contesting respondent.

Faced with this situation, this court has left with no other option but to dismiss the present appeal for want of prosecution with liberty to the legal heirs of deceased-appellant as well as respondent No.1 to get the present appeal revived by filing an appropriate application.

Dismissed for want of prosecution.

13.10.2023
neelam

(HARPREET SINGH BRAR)
JUDGE

Whether speaking /reasoned
Whether Reportable

Yes/No
Yes/No