

RSA-1529-1989 (O&M)

201

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH**RSA-1529-1989(O&M)****Date of decision: May 17, 2023**

Puran

....Appellant

versus

Haryana State and others

....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA**Present:-** Mr. Ramandeep, Advocate for
Ms. Aesha Jain, Advocate for the appellant.

Mr. Manish Dadwal, AAG, Haryana.

ARUN MONGA, J. (ORAL)

Having suffered concurrent adverse findings by the two Courts below, appellant/plaintiff is in second appeal before this Court assailing learned trial Court judgment and decree dated 04.06.1988, as upheld by learned First Appellate Court vide its judgment and decree dated 01.04.1989. Plaintiff/appellant herein had filed suit for declaration to the effect that he and pro forma defendants No.3 to 7 were owners in possession of land in question; and order dated 14.09.1980 of the Prescribed Authority, Dabwali declaring suit land surplus was nullity *qua* his rights over suit land, with consequential relief of permanent injunction restraining defendants from utilizing suit land under the Haryana Ceiling on Land Holding Act. Said suit was dismissed by the learned Trial Court and plaintiff's appeal was also dismissed as aforesaid.

2. Second appeal was filed way back in the year 1989. On 14.06.1989, while issuing notice of motion, status quo regarding possession was ordered by this Court. Thereafter, vide order dated 28.07.1989, appeal was admitted with status quo to continue. Today, on being asked to argue, learned counsel appearing on

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behalf of appellant pleads lack of instructions and states that his attempts to get in touch with his client have been futile and he is unable to assist the Court. It seems that by sheer passage of time, appellant has lost interest in pursuing the matter further.

- 3. Dismissed for non-prosecution.
- 4. Pending application(s), if any, shall also stand disposed of.

(ARUN MONGA)
JUDGE

May 17, 2023
mahavir

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