

RSA-2530-1989 (O&M)

201

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

RSA-2530-1989 (O&M)

Date of decision: March 27, 2023

Bant Singh

....Appellant

versus

Mandir Thakar Dwara Charandasia

....Respondent

CORAM: HON'BLE MR. JUSTICE ARUN MONGA**Present:-** Mr. M.L. Sharma, Advocate for appellant.Mr. Brijeshwar Vashist, Advocate for
Mr. Tarunveer Vashist, Advocate for respondent.

ARUN MONGA, J. (ORAL)

Having suffered concurrent adverse findings by the two Courts below, appellant-defendant is in second appeal before this Court assailing learned trial Court judgment and decree dated 25.08.1988, as upheld by learned First Appellate Court vide its judgment and decree dated 27.09.1989, decreeing the suit for permanent and mandatory injunction filed by respondent-plaintiff.

2. On being asked to argue, both learned counsels are unable to assist the Court for lack of instructions. Learned counsel for appellant states that being an old matter, he does not even know whereabouts of appellant and all his endeavors to contact appellant have been futile. Same is being pleaded by learned counsel for respondent.

3. Being so, even issuance of fresh notice by this Court to the parties would be an exercise in futility since learned counsels have been failed to establish any contacts with respective parties. Be that as it may, dismissed for non-prosecution with liberty to file appropriate application to revive proceedings, in case, appellant contacts his counsel.

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4. Pending application(s), if any, shall also stand disposed of.

(ARUN MONGA)
JUDGE

March 27, 2023
mahavir

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No