

Sr. No. 319

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

RSA-1527-1991 (O&M)

Date of decision: 05.01.2023

Malkiat Singh and others

...Appellants

Vs.

Jarnail Kaur

...Respondent

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Parveen Chauhan, Advocate
for the appellants.

None for the respondent.

ARUN MONGA, J. (ORAL)

This appeal has been filed by the defendants against the judgments and decrees passed by both the Courts below, whereby the suit for joint possession filed by respondent was decreed.

2. Appeal was admitted for hearing on 28.08.1991. However, no stay was granted on the operation of the impugned order and in all likelihood the same would have been executed.

3. On previous date of hearing i.e.13.03.2020, none appeared on behalf of the respondent. Registry was directed to issue fresh notice to the respondent. As per office report, the respondent has since passed away.

4. When taken up for final adjudication, learned counsel for the appellants is unable to assist the Court for lack of instructions. Learned counsel for the appellants states that despite repeated attempts, his office could not contact the appellants.

5. It seems that by sheer effluxion of time and pendency of the appeal for more than 31 years before this Court, either it has been rendered infructuous or else the appellants seem to have lost interest in pursuing the same.

6. Be that as it may, writ petition is dismissed with liberty to the appellants to file an appropriate application in case any cause of action still survives.

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

**(ARUN MONGA)
JUDGE**

January 05, 2023

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Whether speaking/reasoned:

Yes/No

Whether reportable :

Yes/No