

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

**RSA NO. 164 OF 1991
DATE OF DECISION : 20.02.2023**

Assa Singh and others

...Appellants

Versus

Major Singh and another

...Respondents

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr.Karanbir Singh, Advocate,
For the appellants.

None for the respondents.

ARUN MONGA, J.(ORAL)

Defendant/appellants are in second appeal against the judgment and decree dated 07.01.1991 passed by learned Additional District Judge, Faridkot, vide which appeal filed by defendants against the judgment and decree dated 03.02.1987 by learned Sub Judge Ist Class, Faridkot, was set-aside and decree for possession of land measuring 5 kanals 16 marlas was passed in their favour.

2. Learned counsel for appellants submits that he is unable to assist the Court for lack of instructions. He states that despite repeated attempts, his office could not contact the petitioner. In the premise, no useful purpose would be served by issuing fresh notice to the petitioner as the same too would be an exercise in futility.

3. It seems that by sheer effluxion of time and pendency of the appeal for more than 32 years before this Court, either parties have compromised the matter or lost interest in pursuing the same.

4. Be that as it may, instant second appeal is dismissed in default. However, the appellants are at liberty to file an appropriate application, in case any cause of action still survives.

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

FEBRUARY 20, 2023
Shalini

(ARUN MONGA)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No