

**IOIN-RSA-2044-1994 (O&M) IN/AND
RSA-2044-1994**

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

**IOIN-RSA-2044-1994 IN/AND
RSA-2044-1994 (O&M)
Date of decision: April 26, 2023**

Ram Singh and others

....Appellants

versus

Rati Ram and others

....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present:- None for appellants.

Mr. Sunil Panwar, Advocate for respondents No.18 and 21.

ARUN MONGA, J. (ORAL)

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Office note perused. No steps have been taken to implead legal representatives of deceased respondents No.1 to 6, 8, 10, 17, 20, 24, 26, 27, 34, 36, 37, 39, 40, 42 to 44, 46 to 48, 51 to 56, 59, 61, 62, 64, 68 to 77, 81 to 86, 88 to 90, 92, 97, 101 to 115, 117, 118, 124 to 127, 129, 130 and 132 to 135 and to provide correct address(es) of the unserved respondents No.14 to 16, 41, 45, 49, 58, 67, 87, 93, 95, 96, 100, 116, 119 to 123 and 128, who have been reported to be not residing at the previous address(es). There is no representation on behalf of appellants. It seems that during pendency of proceedings before this Court, not only all the appellants are stated to have expired, but unfortunately learned counsel representing them has also expired.

2. On oral request of learned counsel for respondents No.18 and 21, main case, which stands admitted vide order dated 02.12.1994, is taken on Board for hearing today itself.

3. Registry to do the needful.

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Main case (O&M)

On a Court query, learned counsel representing respondents No.18 and 21 states that he is also unable to provide particulars of proposed LR's of deceased appellants. This Court had attempted to serve appellants on the given address, but none has come forth to get themselves impleaded as LR's despite service, as the office report merely reveals that appellants have died. It may have so happened that by sheer effluxion of time, appeal is rendered infructuous and that is why LR's of appellants seem to be not interested to pursue it.

2. In the premise, there is no choice except to dismiss the appeal for non-prosecution with liberty to LR's of appellants to file appropriate application(s), in case they wish to prosecute the appeal.
3. Dismissed in default.
4. Pending application(s), if any, shall also stand disposed of.

(ARUN MONGA)
JUDGE

April 26, 2023

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No