

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

RSA No.293 OF 1994 (O&M)

DATE OF DECISION : 21.03.2023

Bhopal Singh @ Bhola

...Appellant

Versus

Lt. Col. Anand Parkash

...Respondent

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Ms. Nidhi, Advocate
for Mr. Vishal Pundir, Advocate
for appellant.

None for respondent.

ARUN MONGA, J. (ORAL)

Having suffered adverse findings by Ld. First Appellate Court, defendant/appellant is in second appeal before this Court assailing judgment and decree dated 13.09.1993 passed by Ld. First Appellate Court reversing that of Ld. Trial Court judgment and decree dated 12.09.1989.

2. Petition was admitted for hearing on 24.10.1994.

3. Learned counsel who filed this appeal has since expired. On the last date, when the matter was taken up for hearing, Mr. Pundir from his chambers appeared out of professional courtesy and sought time to file power of attorney. On resumed hearing today, his colleague appears and states that attempts to contact the appellant have remained futile. Perusal of memo of parties reflects that particulars of address of appellant is lacking and therefore issuance of notice to appellant as being prayed for is an exercise in futility.

4. Being so, appeal is dismissed for non-prosecution with liberty to the appellant to file an appropriate application in case any cause of action still survives.

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

March 21, 2023
ashish

(ARUN MONGA)
JUDGE

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