

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(206)

IOIN-RSA-3154-1994 in/and
RSA-3154-1994
Date of Decision : 15.05.2023

State of Punjab and another

...Appellants

Versus

Gurbax Singh

...Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Gurpreet Singh, Additional Advocate General, Punjab
for the appellants.

Harsimran Singh Sethi J. (Oral)

IOIN-RSA-3154-1994

The present appeal was filed in the year 1994. The same was admitted on the first date of hearing but the respondent has not been served even upto now.

The present IOIN was filed so as to give appropriate direction to the appellants to serve the respondent but as per the report, the sole respondent has since died. The State has also not impleaded the legal heirs of the respondent.

Keeping in view the fact that the State has not served the respondent for the last 29 years, it is clear that the State is not interested in pursuing the present remedy with due diligence.

Keeping in view the facts mentioned hereinbefore, the IOIN is disposed of accordingly and RSA No. 3154 of 1994 is taken up for consideration.

RSA-3154-1994

As the State is not interested in pursuing the present remedy with due diligence and the sold respondent is yet to be served even after 29 years of filing the present regular second appeal and as per office report, sole respondent has already died but no one has been brought on record, hence, the present appeal is dismissed for want of prosecution but with liberty to revive the same after impleading legal heirs of the sole respondent, who has already died.

May 15, 2023
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No