

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH**224****RSA-1713-1996 (O&M)****Date of order: 15.11.2023****Dilbagh Singh****.....Appellant(s)****Vs.****Sardara & Others****.....Respondent(s)****CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA****Present:- None.*************Nidhi Gupta, J.**

This is a second appeal filed by the appellant-plaintiff against judgment of learned trial Court dated 01.09.1993, and learned First Appellate Court dated 17.05.1996, whereby his appeal against the judgment of learned trial Court has been dismissed.

The matter was taken up on 01.05.2012 before Daily Pre-Lok Adalat where no one had put in appearance on behalf of the parties. Thereafter, on 28.05.2012, there was again no representation on behalf of the parties as learned counsel for the appellant had expired. Accordingly, notice was issued to the appellant. Vide order dated 03.08.2012, the matter was adjourned as it was reported that the appellant had expired. Vide order dated 31.08.2012, case was directed to be listed before Court as neither there was representation on behalf of the appellant, nor his LRs, appeared to pursue the present case.

As per office report dated 09.11.2023, Mr. T.P.S. Tung, Advocate for respondents No.1 and 2 has been informed through e-mail

about the date fixed; and vide order dated 06.11.1996, it has been directed that respondents No.3 to 6 need not be served.

In the aforesaid premise, issuance of fresh notice to the parties would be an exercise in futility; as also in view of the fact that no LR of the appellant has come forth to pursue the present appeal. It appears that during the pendency of the appeal before this Court for a period of about 27 years, the parties have lost interest in pursuing the appeal as no attempt has been made to contact their respective counsel.

Be that as it may, in view of the above facts/situation, the instant appeal is dismissed for want of prosecution, with liberty to move an appropriate application for reviving the same, if so advised.

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

15.11.2023

Sunena

(Nidhi Gupta)
Judge

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No