

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

**RSA-2111-1996(O&M)
Date of decision: 04.05.2023**

Pushpa Devi (deceased) through LRs and others

... Appellants

Versus

Kulwant Singh

... Respondent

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: None.

ARUN PALLI, J. (ORAL)

On the previous date of hearing, this Court had passed the following order:

“Mr. Arjun Dhaliwal, Advocate, appears and informs the Court that Mr. Munishwar Puri, Advocate, who happened to be counsel for the appellants, has since passed away.

Let notice for an actual date be issued to the appellants for 04.05.2023.”

Office report indicates that appellants No.1(i) & 1(ii) are not residing at the given addresses and appellants No.1(iii), 1(iv) & 1(v) have died. Appellant No.1(vi) married and is not residing at the given address. Appellant No.1(i) and appellant No.2 are same person who is not residing at the given address.

The matter has been called out twice since morning. However, none is present on behalf of the respondent either to assist the Court. Even though he is represented by a counsel. The appeal is pending post admission since 24.04.1997.

In the given circumstances the Court is choice-less but to dismiss the appeal for non-prosecution. Ordered, accordingly.

Needless to assert that in case any dispute, cause of action or interest still survives, the appellant shall be at liberty to move appropriate application for restoration of the appeal and its decision on merit.

(Arun Palli)
Judge

04.05.2023
Rajan

Whether speaking / reasoned:	YES/NO
Whether Reportable:	YES/NO