

Sr. No.562

2023:PHHC:077221

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
RSA-2251-1997 (O&M)
Date of decision: 25.05.2023

Amar Singh

...Appellant

Vs.

Ajaib Singh and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: None.

ARUN MONGA, J. (ORAL)

Matter was taken up for hearing on 31.01.2023, none appeared for the appellant. Being an old matter, Registry was asked to issue notice to learned counsel for the appellant for 17.04.2023. As per office report, learned counsel for the appellant was informed through e-mail. But none appeared on 17.04.2023. On 17.04.2023, fresh notice was ordered to be issued to the parties for 25.05.2023. Needful has been done.

Office report reveals that sole appellant and respondent No.1 have died. Respondents No.2 and 4 are still unserved for want of correct/latest address. However, respondents No.3, 5 served through affixation. Since legal heirs of deceased appellant have not taken any steps to implead themselves, it seems that by sheer effluxion of time as the appeal is pending before this Court for the past more than 28 years, they have lost interest in pursuing the same. Issuance of fresh notice to unserved respondents would be an exercise in futility as fresh and correct address of respondents No.2 and 4 is not known.

In the premise, instant appeal is dismissed in default.

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

(ARUN MONGA)
JUDGE

25.05.2023

Vandana

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No