

554

2023:PHHC:053452

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

**RSA NO. 2941 of 1996 (O&M)
DATE OF DECISION :11.04.2023**

**Harmeet Singh and others
Versus**

...Appellants

Gurtej Singh and others

...Respondents

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : None for the appellants.

Mr. Deepak Bhadu, Advocate,
For respondent No.3.

ARUN MONGA, J. (ORAL)

Matter was taken up for hearing on 18.01.2023 on an application moved by learned counsel for respondents No.1 and 2 and following order was passed by this Court :

“ This is an application filed by respondents No.1 and 2 for fixing some actual date in the main appeal.

Since main case is already on Regular Board of this Court at Sr. No.554, no ground is made out to interfere. However, it so transpires that the learned counsel, who had filed this appeal, was later elevated to the Bench, Registry to issue notice to the appellants to enable them to make alternative arrangement.

Application stands disposed of accordingly.”

Apropos, fresh service was effected and as per office report dated 30.01.2023 , appellants No.1 and 5 have died. None appeared for appellants No.3 and 4, despite service. House of appellant No.2 was found locked and affixation was made.

On 31.01.2023, none appeared for appellants, but in the interest of justice, following order was passed :

“Learned previous counsel who filed the appeal was later elevated to the Bench of this Court.

Appellants No.1 and 5 are reported to have died. Let steps be taken to implead their legal heirs.

No one has caused appearance on behalf of appellants No.3 and 4 despite service. As per office report, house of appellant No.2 was found locked and affixation was made. However, no one has put in appearance on his behalf as well.

Adjourned to 11.04.2023.”

On resumed hearing today, neither legal heirs of appellants No.1 and 5, who are stated to have died, come forth to get themselves impleaded to watch their interest, nor anyone appears for served appellants. It appears that by sheer efflux of time neither the served appellants nor legal heirs of deceased appellants are interested to pursue the appeal.

In the premise, instant appeal is dismissed in default.

Pending applications, if any, also stand disposed of.

APRIL 11, 2023
Shalini

(ARUN MONGA)
JUDGE

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