

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

239

RSA-3777-1997 (O&M)

Date of order: 28.11.2023

Narinder Singh & Others

.....Appellant(s)

Vs.

Ajay Kumar & Others

.....Respondent(s)

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present:- Mr. Munish Gupta, Advocate
for the appellants.

Nidhi Gupta, J.

This is a second appeal filed by defendants No.1 to 6/appellants against the judgment and decree dated 29.10.1993 passed by learned trial Court in favour of the plaintiffs/respondents No.1 to 10 in a suit for declaration; as also against judgment of learned First Appellate Court dated 10.09.1997 whereby appeal filed by the appellants, against the judgment and decree of learned trial Court, has been dismissed.

On 12.01.2023, the matter was adjourned at request of learned counsel for the appellants. On 21.02.2023, notice was issued to the respondents for 28.03.2023. On 28.03.2023, following order was passed:-

"As per report received, respondents are not residing at the given address. They were earlier represented though counsel, Mr. R.K. Dadwal, who had stopped putting in appearance.

Let the case be fixed for final hearing for 14.7.2023".

On the last date of hearing i.e. 14.07.2023, the matter was again adjourned at the request of learned counsel for the appellants.

Today also, learned counsel appearing for the appellants seeks an

adjournment. There is no justification to accept further request for adjournment made by learned counsel for the appellants as the matter pertains to the year 1997. Also, learned counsel for the appellants has not furnished correct/complete/latest addresses of the respondents so that fresh notices could be issued to them. It appears that the appellants and their counsel are no longer interested in pursuing this appeal. In view of the above noted position, this Court is left with no other option but to dismiss the present appeal for want of prosecution.

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

28.11.2023	(Nidhi Gupta)
Sunena	Judge
Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No