

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

RSA NO. 3453 OF 2000 (O&M)

DATE OF DECISION : 30.05.2023

M/s Nahata Limited

...Appellant

Versus

State of Haryana and others

...Respondents

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : None for the appellant.

Mr. R. K. S. Brar, Addl. AG, Haryana.

Mr. Prabhat Gupta, Advocate,
For respondent No.3 (iii).

ARUN MONGA, J. (ORAL)

This is plaintiff/appellant's second appeal against the judgment of reversal. Learned trial Court, vide judgment and decree dated 28.01.1998 decreed the suit for permanent injunction filed by plaintiff with costs, but learned First Appellate Court reversed the said findings vide judgment and decree dated 24.03.2000, dismissed the suit of plaintiff with costs.

2. Matter was last taken up for hearing on 10.04.2023 when learned counsel for parties appeared and stated that they are not in touch with their respective parties and pleaded lack of instructions. Registry was asked to issue notice to parties. Needful has been done.

3. Office report reveals that notice sent to appellant has been received back unserved with the report that no such firm exists. On the other hand, notice sent to respondent No.3(i) has also been received back

unserved with the report that no such person is residing at the given address.

4. In the aforesaid premise, issuance of fresh notice to appellant would be an exercise in futility for lack of correct particulars. It appears that due to sheer long pendency of the appeal before this Court over a period of more than 23 years, appellant has lost interest in pursuing the appeal as no attempt has been made to contact its counsel.

5. Be that as it may, instant appeal is dismissed for non-prosecution with liberty to move an appropriate application for reviving the same, if so desired.

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

MAY 30, 2023
Shalini

(ARUN MONGA)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No