

Sr. No. 709 2nd case

2023:PHHC:064428

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

RSA-1293-2006 (O&M)

Date of decision: 27.04.2023

State of Punjab

...Appellant

Vs.

Mahant Harvinder Dass Khanora, Patiala and others ...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: None.

ARUN MONGA, J. (ORAL)

This is the appellant-defendant' second appeal against the judgment of reversal. The trial Court vide order dated 29.03.2003 dismissed the suit seeking declaration to the effect that plaintiff no.1 is Mohtmim of Dera Akhara Panchayatee Khurd Hira Bagh, Patiala and is in possession of the Dera Akhara Panchayatee Khurd Hira Bagh and the agricultural suit land and the order of the Deputy Commissioner, Commissioner and Financial Commissioner dated 19.07.1995 appointing defendant no.2 as the Mohitmim of Dera Akhara Panchayati khurd are illegal, null and void and without jurisdiction, but lower appellate Court vide order dated 13.01.2006 reversed the judgment and decree of the trial Court. Accordingly, suit was decreed in favour of plaintiff and the appellants-defendant has, therefore, filed the present regular second appeal in this Court.

None has put in appearance on behalf of the appellant.

It appears that by sheer effluxion of time and pendency of the appeal for more than 16 years before this Court, either it has been rendered infructuous or else the appellant seems to have lost interest in pursuing the same.

Be that as it may, dismissed in default with liberty to appellant
to file an appropriate application in case any cause of action still survives.

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

(ARUN MONGA)
JUDGE

27.04.2023
vandana

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