

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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RSA-2269-2016 (O&M)
Date of decision : 19.12.2023

Rupinder Kaur and anotherAppellants

V/S

Charan KaurRespondent

CORAM : HON'BLE MR. JUSTICE NAMIT KUMAR

Present: None for the appellants.

NAMIT KUMAR, J. (ORAL)

1. The appellants have filed the instant appeal against judgment and decree dated 16.01.2012 passed by learned Civil Judge (Junior Division), Kurukshetra whereby a suit for declaration and permanent injunction filed by the respondent/plaintiff has been decreed as well as judgment and decree dated 24.08.2015 passed by learned Additional District Judge, Kurukshetra whereby an appeal filed by the appellants/defendants against judgment and decree dated 16.01.2012 has been dismissed.

2. Perusal of file shows that on 03.02.2020 learned counsel for the appellants contended that he has not been able to make contact with the appellants and consequently, notice was issued to the appellants for 24.03.2020. As per the office report, notice issued to appellant No.1 has been served through her husband and appellant No.2 has unfortunately died. No one had appeared on behalf of the appellants on 04.07.2023 and 21.07.2023. Even today also there is no representation on behalf of the appellants. Even no application for bringing on record LR's of appellant No.2 has been filed.

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3. In view of the above, the present appeal is dismissed for non-prosecution. However, liberty is granted to the appellants for revival of the present appeal in case anything survives.
4. Pending application, if any, stands disposed of accordingly.

19.12.2023 (NAMIT KUMAR)
kothiyal JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No