

CM-5102-C-2022 in/&
RSA-4549-2014 (O&M)

2023:PHHC:073463

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

214

CM-5102-C-2022 in/&
RSA-4549-2014 (O&M)
Date of Decision :19.05.2023

Surjit Kaur

...Appellant

Versus

Gurmeet Singh and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. G.C. Dhuriwala, Advocate for the appellant.

Mr. Munish Yadav, Advocate for respondent No.2.

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Harsimran Singh Sethi, J. (Oral)

CM-5102-C-2022

Present application has been filed by the applicant-respondent No.2 with a prayer that appellant had already died and even the legal heir of the appellant namely, Kuldeep Singh Sond also died on 26.05.2020 hence, the present appeal has abated as no legal heir has come forward to pursue the main regular second appeal.

Learned counsel for the appellant submit that though, he does not have any such instructions as to whether legal heir of the appellant namely, Kuldeep Singh Sond, who was pursuing the present remedy has died but submits that once a statement is being made by the learned counsel

for the respondent at bar, he will not dispute the same but prays that liberty be given to revive the present regular second appeal in case any of the legal heirs of the appellant survives and wants to pursue the present appeal by filing appropriate application.

Keeping in view the above, present application is allowed and main regular appeal is dismissed for want of prosecution but with liberty to the legal heirs of the appellant to revive the same by filing an appropriate application in case they intend to do so.

RSA-4549-2014 & CM-10551-C-2014 & CM-2210-C-2015

Present regular second appeal is dismissed for want of prosecution with liberty to the legal heirs of the appellant to revive the same by filing an appropriate application in case they intend to do so.

May 19, 2023
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No