

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

211

FAO-16052-2018

Date of Decision: 28.02.2023

OMBIR DAGAR

... Appellant

VERSUS

GENERAL PUBLIC

....Respondent

**CORAM: HON'BLE MRS. JUSTICE LISA GILL
HON'BLE MRS. JUSTICE RITU TAGORE**

Present: Mr. Randhir Singh Hooda, Advocate
for the appellant.

LISA GILL, J.(Oral)

This appeal has been filed by the appellant challenging order dated 30.08.2018 whereby permission to sell the property of his minor son has been disposed of with permission to alienate share of the minor in the suit land subject to the condition that minor's share would not be alienated for an amount less than Collector's rate and that he would deposit the sale consideration in a nationalized bank in the name of the minor in the shape of F.D.R till such time as the minor attains majority.

As the appeal came up for hearing after a long interregnum due to outbreak of pandemic covid 19, learned counsel for the appellant had sought some time to seek instructions as to whether the cause of action still survives or not, especially keeping in view the fact that even date of birth of the minor is not available on record.

Learned counsel for the appellant further submits that despite best efforts he has been unable to contact the appellant and neither has the appellant contacted him till date.

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In the given facts and circumstances, we find no ground to keep the matter pending.

Appeal is accordingly dismissed for non-prosecution.

Liberty is afforded to the appellant to move appropriate application within four weeks in case cause of action still survives.

Copy of this order be conveyed to the appellant at the address mentioned in the Memorandum of Parties.

(LISA GILL)
JUDGE

(RITU TAGORE)
JUDGE

28.02.2023
Rimpal

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