

2024:PHHC:001068

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

206

RSA No.1376 of 1990 (O&M)
Date of decision: 08.01.2024

Chinto

....Appellant

Versus

Karnail Singh (Deceased) through LRs and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : None.

AMAN CHAUDHARY, J.

1. The present regular second appeal is filed challenging the judgment and decree dated 24.05.1990 passed by learned Addl. District Judge, Amritsar, reversing the findings of fact returned by the learned trial Court in a suit filed by the plaintiffs-respondents for joint possession.
2. On the last date of hearing, learned counsel for the appellant was said to have pleaded no instructions.
3. As per office report, notice issued to the appellant has been received back with the report that, 'the area is too big and there are many Mohalla. Nearest place, mohalla name, caste etc. be given, so that he may trace out'. As regards the service of the respondents, the details are as follows:

Respondent No.1(i to v)	-	Unserved with report that they are residing in foreign country.
Respondent No.2	-	Unserved with report that not residing at the given address.
Respondent No.3	-	Service of LR's of respondent No.3 is dispensed with vide order dated 05.05.1992.
Respondent No.4	-	Not received back.

4. In view of the above, this Court is left with no option but to dismiss the present appeal for non-prosecution with liberty to revive the same, if need arises.
5. Ordered accordingly.
6. Registry is directed to send a copy of this order to the appellant at the last known address, as also to the concerned SHO of the area to intimate the same.

(AMAN CHAUDHARY)
JUDGE

08.01.2024
Ankur

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No