

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

121

RSA-10-1993 (O&M)
Decided on :19.04.2024

Sant Ram and another

. . . Appellants

Versus

Pyare Lal

. . . Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

PRESENT: Mr. Gaurav Sharma, Advocate
for the appellants.

VIKAS BAHL, J.(ORAL)

1. Defendants is in appeal.
2. The suit filed by the plaintiff for mandatory injunction for directing the defendants to demolish the wall, was decreed and the defendants were directed to demolish the wall on the eastern side of the house of the plaintiff.
3. The appeal filed by the defendants was dismissed vide judgment dated 03.12.1992. It is against the said judgment of both the Courts below that the present Regular Second Appeal has been filed.
4. Learned counsel for the appellants has submitted that inspite of his best efforts, he has not been able to get in touch with the appellants to verify as to whether anything survives in the present case and hence, he prays that the present appeal may be dismissed for non-prosecution at this stage but liberty may be granted to the appellants to revive the appeal, in case, any cause of action survives.

5. In view of the above facts and circumstances, present appeal is dismissed for non-prosecution with the aforesaid liberty.
6. Registry is directed to send the copy of the present order to the parties on the address mentioned in the memo of parties.

19.04.2024

Mehak

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?

Whether reportable?

Yes/~~No~~

~~Yes~~/No