

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

135

RSA-1433-1993(O&M)
Decided on :24.07.2024

Diwan Chand (Deceased) through LRs and others
Versus
M/s Dharam Pal Joginder Pal
... Appellants
... Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL
PRESENT: None.

VIKAS BAHL, J.(ORAL)

1. On the last several dates, none had appeared on behalf of the appellants.
2. On 14.05.2024, a Coordinate Bench of this Court was pleased to pass the following order:-

“Present: None for the appellants.

The Co-ordinate Bench of this Court vide order dated 29.11.2023, had issued notice to the appellants, as well as the respondent.

The office report with regard to the service, reads as under:-

<i>Appellant</i>	
<i>1(i), (vi), (viii)</i>	<i>Died</i>
<i>1(ii)</i>	<i>Served through grand son</i>
<i>1(iii)</i>	<i>Served through son</i>
<i>1(iv)</i>	<i>Served</i>

1(v)/Appellant No.2	Unserved as residing Abroad
1(vii), (ix), (xi)	Not residing at given address
1(x)	Not residing at given address
Appellant No.3	Served through husband
Sole respondent	Died

It transpires from the above report that some of the appellants have died, and some of the LR's of the appellants have been served, but none has caused appearance on their behalf. The sole respondent has also stated to have been died. Neither application for impleadment of LR's of sole respondent has been moved by the appellants, nor by the LR's of the deceased-respondent.

Purely in the interest of justice, one last opportunity is granted to the appellants to cause their appearance, and to take corrective steps, to implead the LR's of the deceased-respondent.

Adjourned to 24.07.2024.

14.05.2024”

3. The present appeal arises from the suit of permanent injunction and it cannot be said with certainty that any cause survives in the present appeal after more than three decades.
4. None has appeared on behalf of the appellants.
5. In view of the above, the present appeal is disposed of as having been rendered infructuous.
6. Liberty is granted to the appellants/legal representatives to revive the appeal, in case, any cause of action survives.
7. Registry is directed to send the copy of the present order to the parties on the addresses mentioned in the memo of parties.

(VIKAS BAHL)
JUDGE

24.07.2024

Mehak

Whether reasoned/speaking?
Whether reportable?

Yes/~~No~~
Yes/~~No~~