

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

130

RSA-1258-1992 (O&M)
Date of decision: 11.03.2024

Gurmeet Singh
...Appellant

VERSUS

Darshan Singh and others
...Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- None for the parties.

VINOD S. BHARDWAJ, J. (Oral)

1. The present appeal has been preferred against the judgment and decree dated 05.08.1987 passed by the Sub-Judge 1st Class, Jalandhar, passed in Civil Suit No.387/1985//337/1985 where the suit for declaration to the effect that the plaintiff is the owner to the extent of 100/322 shares i.e. 5 kanals 2 marlas in Khewat No.217 situated in the revenue estate of village Bhojjowal, has been dismissed and against the judgment and decree dated 20.02.1992 passed in RCA No.46 of 1987 by Additional District Judge, Jalandhar, whereby the appeal preferred against the aforesaid judgment and decree dated 05.08.1987 has also been dismissed.

2. The instant appeal was admitted vide order dated 23.03.1994 after noticing that the service upon the unserved respondents could not be effected as the learned counsel for the appellant failed to furnish their correct addresses. It is evident that the matter was listed thereafter on various

occasions, however, the service upon the respondents could not be effected. The matter was taken up on 15.11.2022 when notice was issued to the appellant. On the adjourned dated, learned counsel for the appellant entered appearance and it was apprised that respondents No.2, 8 and 9 had not been served, while respondent No.2 was reported to have died, respondents No.8 and 9 were proceeded against *ex-parte*. On the said date time was sought by the learned counsel for the appellant to get instructions from the appellant and the hearing of the case was accordingly deferred.

3. On the last date of hearing i.e. 04.03.2024, there was no appearance on behalf of the parties and direction was issued to the Registry to inform the learned counsel for the appellant about the next date of hearing.

4. As per the report of the Registry, learned counsel representing the appellant has informed that she has no further instructions.

5. Dismissed for non-prosecution.

6. Liberty is however granted to the appellant to seek revival of the present appeal if any cause still survives.

7. The civil misc. application, if any, stands disposed of.

(VINOD S. BHARDWAJ)
JUDGE

11.03.2024

Mangal Singh

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