



128
IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

RSA-331-1993 (O&M)
Date of decision: 22.07.2024

Dwarki ...Appellant

Versus

Des Raj (since deceased) through his LR's and others ...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: None for the appellant.

Ms. Vikas Suman Chaudhary, DAG, Punjab.

VIKAS BAHL, J. (ORAL)

1. On 24.04.2024, none had appeared on behalf of the appellant and the Coordinate Bench of this Court had directed SSP, Fatehgarh Sahib to serve the appellant.
2. As per the report of the Registry, the sole appellant is stated to have died.
3. Learned State Counsel on instructions from Mr. Kulwinder Singh, SI, Fatehgarh Sahib, has submitted that in the present case, the police officials have visited the residence of the appellant at Village Abdulpur and had recorded the joint statement of the villagers to the effect that the appellant had died 30-32 years ago and no member of appellant's family resides in the village and they do not know the whereabouts of appellant's family members.
4. Keeping in view the abovesaid facts and circumstances, the present Regular Second Appeal is dismissed for non-prosecution.
5. Liberty is however granted to the legal representatives of appellant, if any, to revive the present appeal in case any cause survives to them.
6. Registry is directed to send the copy of the present order to the concerned parties at the address given in the memo of parties.
7. All the pending miscellaneous applications, if any, shall stand disposed of in view of the abovesaid order.

22.07.2024

Pawan

**(VIKAS BAHL)
JUDGE**

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