

RSA-657-1993 (O&M)

Date of decision: 19.03.2024

M/s Gurmit & Company Cotton Ginning & Pressing Factory ...Appellant

Versus

Punjab State Electricity Board, Patiala and another ...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: None for the appellant.

Mr. Dhruv Walia, Advocate for the respondents.

VIKAS BAHL, J. (ORAL)

1. Learned counsel for the respondents has submitted that in the present case, the plaintiff-appellant/company had filed a suit for declaration and permanent injunction with respect to bill No.355/74 being illegal and restraining the respondents from recovery of Rs.9907/- as charges, which was decreed by the trial Court and the appeal filed by defendant Nos.1 and 2/respondents was allowed and the suit of the plaintiff was dismissed.
2. While issuing notice of motion on 27.04.1993, it was specifically observed by the Coordinate Bench of this Court that there is no stay.
3. Learned counsel for the respondents-defendants has submitted that in all probability, recovery would have been made and thus, the present Regular Second Appeal has been rendered infructuous.
4. As per report of the Registry, sole appellant i.e., the company is stated to have been closed since many years. Today, none has appeared on behalf of the appellant.
5. Accordingly, the present Regular Second Appeal is dismissed for non-prosecution.
6. Liberty is however granted to the appellant to revive the present appeal in case any cause survives to the appellant.
7. All the pending miscellaneous applications, if any, shall stand disposed of in view of the abovesaid order.

19.03.2024

Pawan

(VIKAS BAHL)

JUDGE

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No