

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

124

RSA-762-1993
Decided on :03.04.2024

Nihali
Versus
Nar singh and others
... Appellant
... Respondents

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

Mr. Alok Mittal, Advocate
for the respondents.

VIKAS BAHL, J.(ORAL)

1. This is defendants' appeal.
2. The plaintiff had filed a suit for permanent injunction in respect of land shown in red colour in the site plan, alleging that the same is situated in Khasra No. 3424 abadi deh of Rohtak town and was being used by the plaintiff for the last more than 40 years as *Gher* and also for preparing cow dung cakes etc. and since the defendants had threatened to take forcible possession, thus, the present suit for permanent injunction was instituted restraining the defendants from interfering in the possession over the suit land.
3. The trial Court vide judgment dated 28.07.1990, decreed the said suit and restrained the defendants from interfering in the possession of the plaintiff over the suit land. The defendants filed an appeal and vide

judgment and decree dated 09.02.1993, the same has been dismissed. While admitting the matter, the Coordinate Bench of this Court, vide order dated 22.04.1993, had specifically observed that the stay is declined.

- 4. None has appeared on behalf of the appellant.
- 5. Learned counsel appearing for the respondents has submitted that in all probability, nothing survives in the present appeal.
- 6. Keeping in view the above facts and circumstances, the present appeal is dismissed for non-prosecution. Liberty is granted to the appellant to revive the present appeal, in case, any cause of action survives.
- 7. Registry is directed to send the copy of the present order to the appellant at the addresses mentioned in the memo of parties.

(VIKAS BAHL)
JUDGE

03.04.2024
Mehak

<i>Whether reasoned/speaking?</i>	<i>Yes/No</i>
<i>Whether reportable?</i>	<i>Yes/No</i>