

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

124 (2)

RSA-764-1993
Decided on :03.04.2024

Nihali
Versus
Dilbag 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 defendant's appeal.
2. The plaintiff had filed a suit for permanent injunction restraining the defendants from interfering in the possession over the suit land on the averments that the suit land was part of Khasra No. 3424 in the revenue estate of Rohtak District and the same was used by the plaintiff and his brothers for tethering cattles, preparing cow dung cakes etc. and the defendants wanted to take forcible possession of the same.
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 in the suit land. The defendants filed an appeal and vide judgment and decree dated 09.02.1993, the same has been dismissed. The present appeal was ordered to be heard alongwith RSA-762-1993. No stay has been granted in favour of the defendant.

- 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 address mentioned in the memo of parties.

(VIKAS BAHL)
JUDGE

03.04.2024
Mehak

Whether reasoned/speaking?	Yes/ No
Whether reportable?	Yes /No