

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

112

RSA-2532-1992(O&M)  
Date of decision: 26.02.2024

PATORI (DECEASED) THROUGH LRS. & ORS.

..Appellants

Versus

HARI RAM (DECEASED) THROUGH LRS.

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: None.

ANIL KSHETARPAL, J(Oral)

1. From 23.02.2023, the following orders were passed:-

**“23.02.2023**

*No one has put in appearance on behalf of the parties.  
In the interest of justice, adjourned to 26.04.2023.  
Registry to inform counsel for the parties of the  
date fixed.*

**08.05.2023**

*As per office report, the counsel earlier representing the  
appellants has since expired. Counsel for the respondent  
has been informed by e-mail, however, none has put in  
appearance on behalf of the respondent.  
In view of the above, let notice of the appeal be  
issued to the parties, returnable 13.07.2023.*

**02.09.2023**

*In continuation of service report dated 28.08.2023, let  
more efforts be made to serve the parties keeping in view  
the interest of justice, for 10.10.2023.*

**07.11.2023**

*Unserved appellants be served for 05.02.2024.  
Learned counsel for the respondents also pleads  
no instructions.  
Let notice to the respondents be also issued.”*

2. The office report reads as under:-

|                                                                                                   |                                                                                                                                |
|---------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|
| Appellant Nos.1(i), 3 to 8, 11, 12, 14, 16, 21 to 24, 26, 28, 30 to 32, 34 to 38, 41 to 50 and 53 | 'Died', counsel has not filed fresh cm application for impleading LR's so far                                                  |
| Appellant Nos.2, 9, 17 to 20                                                                      | Married and residing in her In-Laws-house, counsel has not filed fresh address so far, hence fresh notices could not be issued |
| Appellant Nos.10, 25, 27, 33 and 51                                                               | Not residing at given address, counsel has not filed fresh address so far, hence fresh notices could not be issued so far      |
| Appellant Nos.15, 29 and 39                                                                       | Duly served                                                                                                                    |
| Appellant No.40                                                                                   | Served through Brother                                                                                                         |
| Appellant No.52                                                                                   | Served through Nephew                                                                                                          |
| R. No.2, 5 to 7                                                                                   | Not residing at given address, counsel has not filed fresh address, hence fresh notices could not be issued                    |
| R. No.3                                                                                           | Dule Served                                                                                                                    |
| R. No.4                                                                                           | Married, residing at Jhajjar, counsel has not filed fresh address, hence fresh notice could not be issued                      |

Fresh service report:-  
In compliance of order dated 07.11.2023 fresh notices issued have been received back with the following report:-

|                              |                                                            |
|------------------------------|------------------------------------------------------------|
| Appellant No.13              | Served through wife but she don't give signature on notice |
| R. No.1(I)                   | Duly served, but not give signature                        |
| R. No.1(ii) and 1(iv)        | Unserved as Married and residing in her In-Laws house      |
| R. No.1(iii)                 | Served through mother but not give signature               |
| R. No.1(v), 1(iv) and 1(vii) | Unserved as not residing in mentioned village              |

*Mr. Kanwaljit Singh Kang, Adv. for the appellants has also been informed about the date fixed vide letter No.42 dated 05.01.2024.”*

- 3. The appellants remain unrepresented though notices issued to appellant No.13, 15, 29, 39, 40 and 52 have been received back served.
- 4. It appears that the appellants are not interested in prosecuting the appeal.
- 5. Hence, dismissed for non-prosecution.
- 6. All the pending miscellaneous applications, if any, are also disposed of.

**February 26<sup>th</sup>, 2024**  
Ay

**(ANIL KSHETARPAL)**  
**JUDGE**

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