

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

124

RSA-1009-1991

Date of decision: 09.04.2024

KRISHAN LAL

.....Appellant

VERSUS

MC BHIWANI AND OTHERS

.....Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present:- None for the appellant.

Mr. Sapan Dhir, Advocate
for respondent No.1.

VINOD S. BHARDWAJ, J. (Oral)

The plaintiff-appellant is in appeal against the concurrent finding of fact recorded by both the Courts i.e Sub Judge, First Class, Bhiwani in Civil Suit No. 109 of 1984-88 vide judgment and decree dated 24.10.1989 as well as by the Court of Additional District Judge, Bhiwani in Civil Appeal No. 110 of 1989 vide judgment dated 07.01.1991.

It is seen from perusal of the order sheets that no one has been entering appearance on behalf of the appellant for the last 03 dates successively. On 09.08.2023, notice was issued to the appellant as well as to his counsel. It was, however, reported on 09.10.2023 that the notice had not been received back either served or otherwise. A fresh notice was thereafter ordered through the District Judge, Bhiwani on 09.10.2023 and the matter was thereafter taken up on 06.12.2023 when no one entered appearance on behalf of the appellant. It was recorded

by the office that the sole appellant has already died. The matter was further adjourned in the interest of justice for today.

As per the office report, even the counsel for the appellant had been informed, however, no one has chosen to enter appearance on behalf of the appellant. It seems that the appellant is no more interested in pursuing the present regular second appeal.

Dismissed for non-prosecution.

(VINOD S. BHARDWAJ)
JUDGE

APRIL 09, 2024

Vishal sharma

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