

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

101

RSA-2059-1994 (O&M)

Decided on :26.02.2024

HSEB and another

...Appellants

Versus

Brij Lal Tayal

... Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

PRESENT: Ms. Nikita Goel, Advocate for the appellants.

HARSIMRAN SINGH SETHI , J. (Oral)

1. In the present regular second appeal, the challenge is to the judgment and decree passed by the lower Appellate Court, by which, the suit filed by the respondent-plaintiff has been allowed and the judgment and decree of the trial Court, by which, the suit filed by the respondent-plaintiff was dismissed, has been set aside.

2. Learned counsel for the appellants submits that the present regular second appeal was filed in the year 1994 and 32 years have elapsed since then and there is no interim order and the only prayer of the respondent-plaintiff was to change his date of birth to 11.01.1939 instead of 04.01.1937 which was allowed. Learned counsel for the appellants further submits that the respondent-plaintiff must have retired from service about 20 years ago, hence, the present regular second appeal may kindly be disposed of having been not pressed any further by keeping the question of law raised in the present regular second appeal open.

3. Ordered accordingly.

4. Pending miscellaneous application, if any, shall also stand disposed of.

26.02.2024

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Whether speaking/reasoned:

Whether Reportable:

Yes/No

Yes/No

**(HARSIMRAN SINGH SETHI)
JUDGE**