



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

RSA No.2127 of 1994 (O&M)

Date of Order:23.07.2024

Punjab State Electricity Board

.Appellant

Versus

M/s Jain Printing Press, Ambala City

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Gurnoor Singh Sethi, Advocate
for the appellant.

ANIL KSHETARPAL, J

1. The Punjab State Electricity Board, the appellant, is faced with a peculiar situation. This regular second appeal has been filed against the judgment passed by the First Appellate Court in a suit for recovery of Rs.1,34,621.18 paisa. The appeal has come up for hearing after a period of 30 years. Both the partners of the respondent-firm have died.

2. On 30.04.2024, on the request of the learned counsel representing the appellant, hearing was adjourned. Thereafter, on 17.05.2024, the hearing was adjourned as the learned counsel representing the appellant prayed for some time to bring on record the current partners of the firm, if any. On 09.07.2024, another adjournment was granted to comply with the previous order.

3. Now an application has been filed under order Order XXII Rule 4 CPC with the assertion that one of the partner of the respondent-firm is survived by his son Mr. Ashish Kumar Jain, who runs another firm M/s Digital Printing Press, Vardhman Enterprises, Mandhour NH-72, Main



Naraingarh Road, Sunder Nagar, Ambala City, Haryana. It is stated that the appellant has no knowledge of any legal heir of other co-owner. In this case, the respondent is a firm. If the firm has closed down its business, its estate or property is required to be traced. It appears that the appellant-board has made sincere attempt, however, failed to collect the required information.

4. Keeping in view the aforesaid facts, the regular second appeal is dismissed for non-prosecution with liberty to file an application for revival as and when appropriate information is available.

5. All the pending miscellaneous applications, if any, are also disposed of.

July 23, 2024
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned :YES/NO
Whether reportable :YES/NO