

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

RSA-862-1994 (O&M)

Date of Order:07.03.2024

SARWAN

.Appellant

Versus

GURDIAL SINGH AND ANOTHER

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Mandeep K. Dhot, Advocate, for
Mr. K.S.Dadwal, Advocate
for the appellant.

ANIL KSHETARPAL, J

On 19.02.2024, the following order was passed:-

*“On 11.04.2023, the following order was passed:-**“Learned counsel for appellant submits that respondent No.1 has died and she seeks time to implead his legal heirs.**Adjourned to 16.05.2023.**Meanwhile, steps be taken to served respondent No.2.”**As per the office report, no application has been filed to bring on record the legal representatives of respondent No.1, whereas, notice issued to respondent No.2 has been received back with the report that he was not found residing at the given address and the learned counsel representing the appellant has not taken steps to complete the service of notice upon respondent No.2.**Keeping in view the aforesaid development, a last opportunity is granted to the appellant to file an application for bringing on record the legal representatives of respondent No.1 and furnish correct address of respondent No.2 within a period of 10 days, from today.*

If the application for bringing on record the legal representatives of respondent No.1 is filed, the same shall be listed before the Bench forthwith, however, if no application is filed within the aforesaid period, the appeal shall be deemed to have been dismissed for non prosecution without further reference to the Court.

List on 07.03.2024, in the urgent list.”

As per the office report, the appellant has neither taken any steps to bring on record the legal representatives of respondent no.1 nor furnish correct address of respondent no.2. The order dated 19.02.2024 is conditional.

Hence, dismissed for non-prosecution.

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

March 07, 2024
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(ANIL KSHETARPAL)
JUDGE

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