

2024:PHHC:054287

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

201

RSA-151-1995 (O&M)
Date of decision : 22.04.2024

Lekh Raj	Versus	... Appellant(s)
Tara Singh and Another		...Respondent(s)

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : None.

ALKA SARIN, J. (ORAL)

IOIN-RSA-151-1995

The present IOIN was for service of respondent No.1. As per the office report, notice issued to respondent No.1 has been received back with the report that he has not been residing at the given address. Pursuant to the order dated 24.02.2023, notice was issued to the appellant which has been received back with the report that he has since died. No one has come forward to get themselves impleaded as legal representatives of the appellant nor any counsel has put in appearance on their behalf. Respondent No.2 refused to accept the notice, however, affixation has been made. Accordingly, he is deemed to having been served. In view thereof, present IOIN stands disposed of. Main case is taken on board today itself.

RSA-151-1995

2. Since the appellant is stated to have died and no one has come forward to get themselves impleaded as legal representatives of the appellant nor any counsel has put in appearance on their behalf, this Court is left with no other option but to dismiss the present appeal for non-prosecution.
3. Dismissed for non-prosecution with liberty to revive the appeal in case anything survives. Pending applications, if any, also stands disposed off.

22.04.2024
Ankur

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO