

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

225

FAO-32-1998 (O&M)
Date of Decision : 12.03.2024

AMAR LAL BATRA & ANOTHER

.... Appellants

VERSUS

PARDEEP KUMAR & OTHERS

.... Respondents

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Ashwani Bakshi, Advocate for the appellants.

Mr. Saurabh Girdhar, AAG Haryana for respondents No.1 to 3.

ALKA SARIN, J. (ORAL)

1. On 23.01.2024 an IOIN was put up before this Court for impleading the legal representatives of the deceased appellants. Inadvertently CM-7877-CII-2022 was allowed. However, it transpires that the said application being CM-7877-CII-2022 was dismissed as withdrawn vide order dated 05.01.2023.

2. In view thereof, the order dated 23.01.2024 passed by this Court is recalled *suo motu*.

3. Learned counsel for the appellants states that the present appeal was preferred by the parents of the deceased. In the interregnum, both the parents of the deceased have since expired. The deceased was survived by his wife and a minor child, however, their whereabouts are not known. CM-7877-CII-2022 was filed for impleading the legal representatives of the deceased appellants, who are his brother and sister. There is no mention of the wife and the minor child of the deceased in the said application. Learned

counsel for the appellants states that he has not been able to get the details of the wife and the minor child of the deceased.

4. In view thereof, this Court is left with no other option but to dismiss the present appeal for non-prosecution.

5. Dismissed for non-prosecution. Pending applications, if any, also stand disposed off.

12.03.2024

Aman Jain

(ALKA SARIN)

JUDGE

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