

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH****212-1****RSA No. 1240 of 1996****Date of Decision : 29.05.2024**

Gurdial Singh and Others

....Appellants

VERSUS

Kapoor Singh and Others

....Respondents

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : None for the appellants.

Mr. Jagbir Singh Brar, Advocate for respondent No.3.

ALKA SARIN, J. (Oral)

1. Present appeal pertains to the year 1996. Vide order dated 22.11.2023 fresh notice was issued to the appellants and respondent Nos.1 to 3. As per the office report, appellant Nos.1, 2 and 6 are stated to have died. Appellant No.3 is stated to have refused to accept the notice accordingly he was served through affixation. Appellant No.4 stands duly served. Appellant No.5 is stated to be not residing at the given address. None has put in appearance on behalf of appellant Nos.3 and 4, despite service. None has come forward to be impleaded as legal representatives of appellant Nos.1, 2 and 6. There is no other address of appellant No.5 available except for the one as mentioned in the memo of parties as well as judgments of both the Courts. Respondent Nos.1, 2 and 4 are stated to have died. Mr. Jagbir Singh Brar, Advocate has put in appearance on behalf of respondent No.3 and has filed his power of attorney, which is taken on record.

2. In view of the above, 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 in case anything survives in the matter. Pending applications, if any, also stand disposed off.

(ALKA SARIN)
JUDGE

29.05.2024

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