



IN THE HIGH COURT OF PUNJ AB AND HARYANA AT CHANDIGARH

102-1

RSA-1518-1997 (O&M)
Date of Decision : 24.09.2024

Lashkar Singh and AnotherAppellants

VERSUS

Manjit Kaur and OthersRespondents

CORAM : HON’BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Sanjay Majithia, Senior Advocate with
Mr. Sumit Sinha, Advocate for the appellants.

Mr. Sandeep Bansal, Advocate for respondent Nos.1 and 2.

None for respondent Nos.3 and 4.

ALKA SARIN, J. (Oral)

1. Present appeal has been preferred by the appellants, who are parents of Late Maj. Jagtar Singh, who died on 13.08.1988. The wife of Late Maj. Jagtar Singh and the daughter had filed the present suit for declaration for claiming the gratuity and other benefits of Late Maj. Jagtar Singh. The suit was dismissed by the Trial Court vide judgment and decree dated 18.01.1994. In the first appeal, the judgment and decree passed by the Trial Court was reversed and the suit was decreed vide judgment and decree dated 04.04.1997. Hence, the present appeal.
2. Learned senior counsel appearing on behalf of the appellants states that he has no instructions in the matter.
3. Learned counsel for the respondent Nos.1 and 2 states that the contest on the one hand was between the parents of Late Maj. Jagtar Singh and on the other hand the widow and daughter of Late Maj. Jagtar Singh and

that there are no other legal heirs of Late Maj. Jagtar Singh. Lashkar Singh and Joginder Kaur i.e. the appellants herein have since expired and that the only legal heirs would now be the respondent Nos.1 and 2 herein for receiving the pensionary benefits of Late Maj. Jagtar Singh.

4. In view of the statement made by learned counsel for respondent Nos.1 and 2, the present appeal is dismissed as having been rendered infructuous with liberty to revive in case anything survives in the matter. Pending applications, if any, also stand disposed off.

24.09.2024
jk

**(ALKA SARIN)
JUDGE**

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