

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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RSA No.1851 of 1997
Date of Decision : 19.04.2024

Minor Irrigation Tubewell Corporation, FatehabadAppellant

VERSUS

Hamir Singh and OthersRespondents

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Pritam Singh Saini, Advocate for the appellant.

ALKA SARIN, J. (Oral)

1. Learned counsel for the defendant-appellant would contend that the suit was filed for declaration to the effect that the plaintiff-respondents were in possession of the suit land and that the defendant-appellant herein had forcibly and illegally installed a tube-well in Rect. No.238, Khasra No.22 (0-10) without the consent of the plaintiff-respondents and proforma defendants and without acquisition and without payment of compensation. The suit was decreed by the Trial Court vide judgment and decree dated 06.09.1993. An appeal was preferred by the defendant-appellant herein which was also dismissed vide judgment and decree dated 18.03.1997 passed by the First Appellate Court. Learned counsel for the defendant-appellant states that though he has no written instructions in the matter, however, the defendant-appellant Corporation itself had closed down in the year 2002 and nothing survives in the present appeal, which has since been rendered infructuous.

2. 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.

(ALKA SARIN)
JUDGE

19.04.2024
jk

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