



RSA-2690-1996

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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

RSA-2690-1996

Date of decision : 27.11.2024

The State of Punjab and another

... Appellants

Versus

Emanuel Masih

... Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr.P.S. Bhandari, AAG, Punjab
for the appellants.

Mr. Davinder Kumar Kaushal, Advocate
for the respondent.

VIKAS BAHL, J.(ORAL)

1. On 12.11.2024, this Court was pleased to pass the following
order:-

*“Present: Mr. P. S. Bhandari, AAG, Punjab
for the appellants.*

*Mr. D. K. Kaushal, Advocate
for the respondent.*

*Learned counsel for the respondent has pointed
out that since the suit of the plaintiff-respondent was partly
decreed, thus, the plaintiff had filed an appeal which was
allowed and even the State had filed an appeal which was
dismissed vide judgment dated 12.11.1993 and the said
judgment has not been challenged by the State of Punjab and
thus, the present appeal deserves to be dismissed on the said*



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ground alone. It has further been pointed out that the appeal filed by the plaintiff was allowed on 06.11.1995 and it is only the said judgment which has been challenged by the State of Punjab.

Learned State counsel prays for a short adjournment to get instructions in the matter.

Adjourned to 27.11.2024.

To be taken up at 01:45 PM.

12.11.2024”

2. Learned State counsel, in pursuance of the above said order, has very fairly brought to the notice of this Court that State of Punjab had actually filed an appeal i.e., RSA-1533-1994 against the judgment dated 12.11.1993 and the Coordinate Bench of this Court had disposed of the said case vide order dated 04.01.2024 in the following terms:-

“Present: Mr. Vikas Arora, AAG, Punjab.

ANIL KSHETARPAL, J(Oral)

1. On instructions from Sh. Harjit Singh, the learned counsel representing the State of Punjab submits that with the passage of time, the appeal is rendered infructuous as no interim protection was granted while admitting the appeal.

2. Ordered accordingly.

3. All the pending miscellaneous applications, if any, are also disposed of.

January 04th, 2024”

3. Learned State counsel, on the instructions from Sh. Harjit Singh, Law Officer, has prayed that in view of the above, the present appeal be also disposed of as having been rendered infructuous but liberty be granted to the appellants to revive the appeal in case any cause survives in



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future.

4. In view of the above, the present petition is disposed of as having been rendered infructuous with liberty to the appellants to revive the appeal in case any cause survives in future.

(VIKAS BAHL)
JUDGE

November 27, 2024.
Davinder Kumar

Whether speaking / reasoned	Yes/No
Whether reportable	Yes/No