



In the High Court of Punjab and Haryana, at Chandigarh

1. Regular Second Appeal No. 1214 of 1998 (O&M)

The Panipat Co-operative Sugar Mills Limited and Another
... Appellant(s)

Versus

D.N.Chaudhary and Another
... Respondent(s)

2. Regular Second Appeal No. 1215 of 1998 (O&M)

The Panipat Co-operative Sugar Mills Limited and Another
... Appellant(s)

Versus

D.N.Chaudhary and Another
... Respondent(s)

AND

3. Regular Second Appeal No. 5036 of 1999 (O&M)

The Panipat Co-operative Sugar Mills Limited and Another
... Appellant(s)

Versus

D.N.Chaudhary and Another
... Respondent(s)

DATE OF DECISION: 15.07.2024

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Rajinder Goel, Advocate
for the appellant(s).

Anil Kshetarpal, J.

1. On 20.03.2024, the following order was passed:-



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“A batch of 3 connected appeals is listed after a passage of nearly 26 years.

As per the office report, respondent no.1 and 2 are reported to have died.

The learned counsel representing the appellants also prays for some time. While adjourning the case, the appellants may take steps to bring on record the legal representatives of respondent no.1 and 2, within a period of 15 days, from today.

However, if no steps are taken by the appellants, the appeals shall be deemed to have been dismissed for non-prosecution without further reference to the Court.

List, in the urgent list, on 17.05.2024.

A photocopy of this order be placed on the files of the other connected cases.”

2. Thereafter, on 17.05.2024, the learned counsel representing the respondent entered appearance and on his request, the hearing was adjourned to today. However, once again, he is not present. It has been noticed that the respondent had filed two suits for rendition of accounts in which the preliminary decree was passed. As per the office report, the respondent has died. In Regular Second Appeal No. 5036 of 1999, the respondents challenged the correctness of the judgment and decree passed by the First Appellate Court, wherein, the Court set aside the judgment passed by the Trial Court, dismissing a suit filed for the recovery of ₹45,000/-.

3. These appeals are pending for the last 26 years. It appears that



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the legal representatives of the respondent are not interested in prosecuting the appeal.

4. Keeping in view the aforesaid facts, all these three appeals are disposed of with the liberty to the appellants to file an application for revival if the legal representatives of the respondent file an application for preparation of a final decree or for execution of the decree passed in Regular Second Appeal No. 5036 of 1999.

5. The miscellaneous application(s) pending, if any, in all the three appeals shall stand disposed of.

**(Anil Kshetarpal)
Judge**

July 15, 2024
“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No