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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**IOIN-RSA-2500-2001
in RSA-2500-2001
Date of Decision: 17.05.2024**

Narain Singh Yadav

....Appellant

Versus

Virender Singh and others

....Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present : None for the appellant.

Mr. Akshat Mittal, Advocate for
Mr. Rajinder Goel, Advocate
for respondents No.1 to 3.

HARSH BUNGER, J. (Oral)

1. Prayer in the present appeal is for setting aside the judgment and decree passed by learned Additional District Judge, Narnaul to the extent that agreement Ex.P-1 cannot be enforced in respect of part of suit land comprised in Khasra No.72//10/2 (5-16) to the extent of 1/2 share. A further prayer has been made that the judgment and decree passed by learned trial Court be restored and suit of the appellant be decreed with costs throughout.

2. On 01.02.2024, the following order was passed:

“Mr. Rajinder Goel, Advocate appears and files fresh Vakalatnama on behalf of respondents No. 1 to 3 in Court today itself, which is taken on record.

A perusal of order sheets would reveal that in the instant case, respondents No. 6 and 10 were recorded as expired in



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order dated 18.11.2019 and learned counsel for appellant was granted 8 weeks time to resort to necessary measures to ensure the service of unserved respondents and also to move application to implead LRs of deceased respondents No. 6 and 10.

It appears that service upon respondents No. 7 to 10 was dispensed with, vide order dated 15.03.2023, however, corrective steps to implead legal heirs of deceased respondent No. 6 have not been taken till date.

There is no representation on behalf of appellant.

In the interest of justice, adjourned to 10.05.2024.

In the meanwhile, an appropriate application for impleading LRs of respondent No. 6 be filed.

Learned counsel for appellant be notified of date fixed.”

3. As per the office report, learned counsel for the appellant-Mr. Raj Kumar Gupta, Advocate has been informed through e-mail dated 08.05.2024, however, there is no representation on behalf of the appellant.

4. It appears that the appellant is no more interested in pursuing the present appeal.

5. In view of the above, the main appeal (**RSA-2500-2001**) is dismissed for non-prosecution.

6. **IOIN-RSA-2500-2001** stands disposed of.

17.05.2024
Himani

(HARSH BUNGER)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No