



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

RSA No. 3550 of 2019 (O&M)
Date of Decision: 24.07.2024

Manohar Lal Bhalla

..... Appellant

Versus

Ramesh Bhalla and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. A.P.S. Sandhu, Advocate and
Mr. Ashish Kaushik, Advocate
for the appellant-defendant.

HARKESH MANUJA, J. (ORAL)

By way of present appeal, challenge has been laid to the judgment and decree dated 09.04.2019 passed by the Court of Additional District Judge, Amritsar (**hereinafter to be referred as “First Appellate Court”**), whereby an appeal against the judgment and decree dated 07.09.2017 passed by the Court of Civil Judge (Junior Division), Amritsar (**hereinafter to be referred as “trial Court”**), decreeing the suit for partition by metes and bounds *qua* the property in question, filed at the instance of respondents-plaintiffs, was dismissed; thereby upholding the judgment and decree passed by the trial Court.

[2] At the time of hearing, learned counsel for the appellant-defendant informs that during pendency of the present appeal, an application filed at the instance of respondents-Decree Holders seeking final partition, stands rejected by the Court below. He further submits that despite having

made all sincere efforts, no one has chosen to contact him on behalf of the appellant-defendant and thus submits that apparently, the appellant-defendant is no more interested in pursuing the present appeal.

[3] In view of the above, there is no option except to dismiss the appeal for non-prosecution.

[4] **Dismissed for non-prosecution.**

[5] It is made clear that in case any cause survives in the present appeal, the appellant-defendant would be at liberty to seek its revival by instituting an appropriate application.

[6] Pending miscellaneous application(s), if any, shall also stand disposed off.

July 24, 2024
'dk karma

(HARKESH MANUJA)
JUDGE

<i>Whether Speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>