

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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RSA No.2218 of 2011 (O&M)
Date of Decision : 31.01.2024

Sham LalAppellant

VERSUS

Charanjit Singh and OthersRespondents

CORAM : HON’BLE MRS. JUSTICE ALKA SARIN

Present : None for the appellant.
Mr. Prem Singh Bhangu, Advocate for the respondents.

ALKA SARIN, J. (Oral)

1. On 24.11.2023 the following order was passed :

“Learned counsel for the appellant submits that the appellant Sham Lal has already expired and his son has taken away brief from him. The main RSA is admitted and the application bearing CM-14364-C-2019 under Order 41 Rule 27 CPC read with Section 151 CPC is pending before this Court. In view of the aforesaid circumstances, he pleads no instructions.

Since Sham Lal has expired, let notice of the main appeal as well as aforesaid application be given at the given address by way of affixation in case anybody wants to pursue the present appeal, he can appear.

Adjourned 25.01.2024.”

2. As per office report, affixation notice issued to the appellant has been received back with the report that there is no house of given number and hence affixation has not been effected. This is the only address of the appellant available in the memo of parties as well as mentioned in the judgments and decrees of the Trial Court and the First Appellate Court.
3. None has put in appearance on behalf of the appellant.
4. In view of the above, this Court is left with no other option but to dismiss the present appeal for non-prosecution.
5. Dismissed for non-prosecution. Pending applications, if any, also stand disposed off.

(ALKA SARIN)
JUDGE

31.01.2024
jk

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