



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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RSA No.6080 of 2017 (O&M)
Date of decision: 12.11.2024

Banarsi Lal
.....Appellant

Versus

State of Punjab and others
.....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Anupam Bhardwaj, Advocate
for the appellant.

Mr. Surya Kumar, AAG, Punjab.

NAMIT KUMAR J. (Oral)

The appellant has filed the instant appeal against the judgment and decree dated 10.01.2017 passed by the learned trial Court whereby the suit for mandatory injunction filed by the plaintiff/appellant has been dismissed as well as the judgment and decree dated 12.07.2017 passed by the learned Appellate Court whereby the appeal preferred by the appellant/plaintiff against the aforesaid judgment and decree dated 10.01.2017, has also been dismissed.

On the last date of hearing, the following order was passed:-

“Learned State counsel has produced copy of Death Certificate of the appellant, who unfortunately died on 28.12.2020. Death Certificate of the appellant is taken on record. However, LR’s of the appellant have not been brought on record.

2024.PHHC.148941



There is no appearance on behalf of the appellant on 28.02.2023 and 01.05.2023. Even today adjournment slip has been circulated on behalf of learned counsel for the appellant.

Adjourned to 12.11.2024.

LRs of the appellant may be brought on record before the next date of hearing.”

Learned counsel for the appellant submits that despite writing a letter dated 19.05.2024, which was sent through registered post, he has not been able to get further instructions from the legal representatives of the appellant and, therefore, the legal representatives of the appellant have not been brought on record.

In this view of the matter, the present petition is dismissed for non-prosecution.

However liberty is granted to the legal representatives of the appellant to revive the present appeal in case any cause still survives.

(NAMIT KUMAR)
JUDGE

12.11.2024
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No