



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

105

RSA-381-2020
Date of Decision: 19.12.2024

Pal Singh

....Appellant

Versus

Balwinder Singh

....Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS SURI

Present: None.

VIKAS SURI, J. (Oral)

1. This regular second appeal has been filed by the plaintiff-appellant aggrieved by the judgment and decree dated 27.07.2016 passed by learned Civil Judge (Junior Division), Kharar, whereby the suit for possession as owner (admitted by defendant) of the suit property was decreed but the claim for damages to the tune of Rs.10,000/- per month, was dismissed; as well as by the judgment and decree dated 20.09.2019 passed by learned District Judge, SAS Nagar (Mohali), whereby the appeal preferred against the aforesaid decree, was dismissed.

2. This appeal pertains to the year 2020 and was filed through S/Shri Deepak Sharma and J.S.Khattar, Advocates. On 07.05.2024, learned counsel appearing for the appellant had submitted that Mr. Deepak Sharma, Advocate who was the main counsel, has since shifted abroad and time was sought to seek necessary instructions. On the subsequent hearing, there was no

representation on behalf of the appellant and accordingly, notice was issued to the appellant for 19.12.2024, i.e. today.

3. As per office report, notice issued to the appellant has been received back with the report that the appellant has died.

4. Case has been called out at its turn. No one has appeared for the appellant or on behalf of the legal heirs of the deceased-sole appellant.

5. In view of the aforesaid, this appeal is dismissed for non-prosecution.

6. It is, however, clarified that the legal representatives of the sole appellant would be at liberty to seek revival of the present appeal, if any grievance still survives, provided they approach this Court within reasonable time.

7. Dismissed with the aforesaid observations.

December 19, 2024
Varinder

(VIKAS SURJ)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No