



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

RSA No. 1926 of 2022 (O&M)

Date of Decision: 10.09.2025

Ajaib Singh

..... Appellant

Versus

Late Manjinder Singh (since deceased) through
legal heirs and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present:- Mr. Hitesh Verma, Advocate
for the appellant-plaintiff No. 1.

HARKESH MANUJA, J. (ORAL)

[1] Plaintiff No. 1-Ajaib Singh is in Regular Second Appeal.

[2] By way of present appeal, challenge has been laid to the judgment and decree dated 12.10.2021 passed by the Court of Additional District Judge, Barnala (**hereinafter to be referred as “First Appellate Court”**), whereby an appeal against the judgment and decree dated 30.05.2016 passed by the Court of Additional Civil Judge (Senior Division), Barnala (**hereinafter to be referred as “trial Court”**), dismissing the suit for declaration and separate possession by way of partition and also for grant of permanent injunction restraining the defendants from changing the nature of suit property or even alienating the same, instituted at the instance of plaintiffs, was dismissed; thereby affirming the judgment and decree passed by the trial Court.

[3] At the outset, learned counsel for the appellant informs that the appellant-Ajaib Singh has unfortunately died, however, despite making all sincere efforts, whereabouts of his legal representatives are not known as the only son of deceased-appellant has left the village. He thus submits that at this stage, there is no one available on behalf of the appellant-deceased to pursue the present appeal.

[4] In view of the above, there is no option except to dismiss the present appeal for want of prosecution.

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

[6] However, the legal representatives of deceased-appellant, if any, shall be at liberty to seek revival of the present appeal in case any cause survives.

[7] No orders are required to be passed in the pending application(s), if any, and the same shall stand disposed off.

September 10, 2025

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**(HARKESH MANUJA)
JUDGE**

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