



202

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

RSA-176-1996 (O&M)

Date of decision: 19.08.2025

State of Punjab and another

...Appellants

Versus

S.P. Jain

...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Surya Kumar, AAG, Punjab, for the appellants.

VIKAS BAHL, J. (ORAL)

1. The respondent-plaintiff had filed a suit for declaration and permanent injunction which was decreed by the trial Court. Appeal filed by the State was dismissed. A perusal of the orders passed by this Court would show that there is no interim order in favour of the appellants-State of Punjab. Order dated 16.11.2017 passed by the Coordinate Bench of this Court is reproduced hereinbelow:-

*“Present : Mr. H.S.Sitta, A.A.G., Punjab
for the appellants.*

*Service has not been completed. There is a possibility
that the respondent may even have retired.*

*Learned AAG seeks three weeks' time to ascertain the
correct address of the respondent.*

Adjourned to 12.01.2018.



NOVEMBER 16, 2017”

2. On 06.02.2018, a Coordinate Bench of this Court was pleased to pass the following order:-

“Present: Mr. R.B.S. Chahal, Addl. A.G. Punjab.

Despite giving sufficient time, appellants have not complied order dated 16.11.2017. In order to give one more opportunity, list this matter on 26.02.2018. Failing which petition would be dismissed for non prosecution.

06.02.2018”

3. A perusal of further orders would show that the respondent was never served in the present appeal and apparently, respondent would have retired.

4. Learned counsel for the appellants has submitted that in view of the abovesaid subsequent events, the present appeal be disposed of with liberty to the appellants to revive the same in case any cause survives.

5. Accordingly, the present appeal is disposed of with liberty aforesaid.

6. All the pending miscellaneous applications, if any, shall stand disposed of in view of the abovesaid order.

19.08.2025

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No