



RSA-2423-1997

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

RSA-2423-1997

Date of decision : 12.03.2025

Punjab State and another

... Appellants

Versus

Devi Dayal

... Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

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

Mr.Sushil Saini, Advocate
for the respondent.

VIKAS BAHL, J.(ORAL)

1. The respondent-plaintiff had filed a suit in the year 1991 for declaration to the effect that the order dated 18.03.1983 passed by defendant no.2 holding the plaintiff liable for the amount of Rs.1,47,820.31p and order dated 08.08.1991 imposing / effecting recovery of an amount of Rs.1,20,836.26p, were illegal. The suit of the plaintiff was dismissed, however, the appeal filed by the plaintiff against the said judgment and decree was allowed and the judgment of the trial Court was set aside and the order for recovery was set aside.

2. Learned State counsel, on instructions from Sh.Manual, Junior Assistant, PWD (B&R), Gurdaspur has submitted that the respondent-

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plaintiff Devi Dyal has died on 01.06.2015 and regarding the same a photocopy of the death certificate has been produced which is taken on record as “Mark A”. It is further submitted that as per his further instructions, the LR's of the respondent have not approached the concerned department. It is thus, prayed that the present appeal be disposed of at this stage but liberty be granted to the appellants to revive the appeal in case the LR's of the deceased Devi Dyal approach the concerned department for any relief in pursuance of the judgment of the Ist Appellate Court.

3. In view of the above, the present appeal is disposed of at this stage with the aforesaid liberty.

(VIKAS BAHL)
JUDGE

March 12, 2025.*Davinder Kumar*

Whether speaking / reasoned
Whether reportable

Yes/No
Yes/No