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

RSA-3636-2018 (O&M)

Reserved on : 10.02.2025

Pronounced on : 18.02.2025

Anil Kumar

....Appellant

VERSUS

Suresh Chand & Ors.

....Respondents

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Ajay Chaudhary, Advocate for
Mr. D. S. Adlakha, Advocate for the appellant.

ALKA SARIN, J.

CM-9457-C-2018 & CM-9458-C-2018

1. For the reasons mentioned in the applications, the delay of 175 days in refiling the appeal and the delay of 8 days in filing the appeal is condoned. Applications stand disposed off.

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2. The present appeal has been preferred by the plaintiff-appellant challenging the judgment dated 01.08.2015 passed by the Trial Court and judgment dated 29.04.2017 passed by the First Appellate Court whereby his application under Order 39 Rule 2-A CPC has been dismissed.

3. There was an interim order passed by the Trial Court on 16.02.2011 in favour of the plaintiff-appellant in his suit for permanent injunction which he claims has been violated by the respondents. The suit for permanent injunction was amended to one for mandatory injunction. The suit

was dismissed by the Trial Court vide judgment and decree dated 01.08.2015. The appeal of the plaintiff-appellant was dismissed by the First Appellate Court vide judgment and decree dated 29.04.2017. His regular second appeal being **RSA-3640-2018 [Anil Kumar vs. Suresh Chand]** also stands dismissed by judgement of even date passed today. Hence, nothing survives for this Court to adjudicate upon and no further order is required to be passed. Pending applications, if any, also stand disposed off.

18.02.2025

Yogesh Sharma

(ALKA SARIN)**JUDGE**

NOTE : Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO