



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

RSA No. 1651 of 1990 (O&M)

Date of Decision:19.01.2026

Union of India and others

....Appellants

vs.

Loku Ram, deceased through Legal Representatives and others

....Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: None for appellant No. 1

Mr. Ravi Pratap Singh, D.A.G, Haryana
for appellant No. 2

None for the respondents

JAGMOHAN BANSAL, J. (ORAL)

1. The instant appeal is filed by State of Haryana against judgments and decrees passed by Courts below.

2. On 22.08.2023, the following order was passed:-

“ On instructions from Sh. Rohit Dewal, Assistant District Attorney, Gurugram, learned State counsel informs the Court that the direction recorded regarding recovery of the costs in the last part of the order dated 01.03.2023 has been complied with.

Learned State counsel seeks some time for moving an appropriate application for bringing on record the legal representatives of the respondent(s), who are reported to have died.



Before taking all the required steps, learned State counsel is expected to go through the orders passed by this Court. Adjourned to 16.10.2023.”

3. The aforesaid order was followed by order dated 25.04.2024 which reads as:-

“ Vide order dated 01.03.2023, learned State counsel had sought one more opportunity to effect the service on the unserved respondents. A costs of Rs.10,000/- was also imposed on the appellant-State of Haryana to be deposited with the Poor Patient Funds, PGI, Chandigarh. Fresh notice was issued subject to filing of process fee and correct addresses of the unserved respondents within a period of four weeks. Service was also ordered to be effected through Dasti as well. The matter was adjourned to 22.08.2023 when it was noticed that even though the cost had been deposited, however, the appellant-State sought for more time to bring on record the LRs of the respondents, who were reported to have died. The matter was adjourned to 16.10.2023 and thereafter for 30.11.2023 when the appellant-State sought yet more time to comply with the earlier order. The case was thus adjourned for today.

Learned State counsel prays for yet another opportunity to comply with the earlier order and to bring on record the LRs of the deceased respondents and to effect service. It is also evident that last opportunity was granted to the appellant-State on 15.11.2022 to effect service upon the respondents through Dasti process only, however, no effort at all has seemingly been made by the appellant-State.

Learned State counsel prays for last opportunity.

One last opportunity is granted to the appellant-State to bring on record the LRs of the deceased-respondents and effect service on the un-served respondents.

In the interest of justice, adjourned to 24.07.2024.



Let fresh notice be issued on filing of details of the LRs and their addresses and on filing of process fee etc., within a period of 8 weeks, from today, for the date fixed.

Process Dasti only.”

4. On 14.11.2024, the following order was passed:-

“ It appears, prima facie, that suit of plaintiff-respondent was decreed on 07.01.1989 by the then learned Sub Judge IInd Class, Gurgaon; for recovery of an amount of Rs.11,750/- along with interest at the rate of 12% per annum from the date of filing the suit till realisation of the decretal amount.

No one is appearing on behalf of the respondents; nor the LRs of some deceased-respondent(s) have been brought on record despite sufficient opportunities.

In view of the above, let Tehsildar (Sales), Gurugram along with complete original records be present for assistance in the matter.

The officer is also directed to ascertain about the possession of the suit property as on today and also to get the information whether decretal amount has been withdrawn by the plaintiff-respondent or his LRs.

Posted for 10.12.2024.”

5. On 17.01.2025, learned State counsel made a statement that nothing survives in the instant appeal because relief granted to respondents-plaintiffs vide impugned judgments and decrees stand disbursed to them.

6. There is no representation of the respondents-plaintiffs.

7. From the previous orders, it is evident that appellant is not interested to pursue the matter because relief granted by Courts below stand



disbursed to respondents-plaintiffs. The total amount involved in the suit was Rs.11,750/-.

8. Considering the amount involved, absence of respondents-plaintiffs and stand of appellant that decreed amount stands released to respondents-plaintiffs, the appeal is hereby dismissed.
9. Pending Misc. application(s), if any, shall stand disposed of.

(JAGMOHAN BANSAL)
JUDGE

19.01.2026
paramjit

Whether speaking/reasoned:	Yes	
Whether reportable:		No