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

1. RSA-2443-2000 (O&M)
Date of decision: 08.10.2025

Bishan Dass

...Appellant

Versus

Romesh Chander and others

...Respondents

2. RSA-4606-2000 (O&M)
Date of decision: 08.10.2025

State of Punjab and another

...Appellants

Versus

Romesh Chander and another

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Sanjeev Manrai, Sr. Advocate with
Mr. Rohit Bhardwaj, Advocate for the appellant
(In RSA-2443-2000)
for respondent No.2 (In RSA-4606-2000)

Mr. Sandeep Singh, AAG, Punjab.

Mr. Amandeep Singh Talwar, Advocate
(Through Video Conferencing) and
Mr. Rahul Dhanda, Advocate for respondent No.3
(In RSA-2443-2000)

VIKAS BAHL, J. (ORAL)

1. The present order would dispose of two appeals. First appeal



being RSA-2443-2000 filed by Bishan Dass-defendant No.3 against Romesh Chander and others and second appeal being RSA-4606-2000 filed by State of Punjab and another against Romesh Chander and another.

2. Romesh Chander had filed a suit for declaration to the effect that the order dated 23.08.1988 passed by defendant No.2 giving promotion from the post of the Process Server to that of Naib Nazir to defendant No.3-Bishan Dass ignoring claim of the plaintiff for the said post was illegal and against law. The said suit was filed in the year 1989 and was dismissed by the trial Court and an appeal filed by the said Romesh Chander against the said judgment and decree was allowed.

3. A Coordinate Bench of this Court, vide order dated 06.07.2000, was pleased to issue notice of motion and operation of the judgment and decree of the First Appellate Court was stayed till further orders. Thereafter, on 23.08.2004, an appeal i.e., RSA-2443-2000 was admitted. RSA-4606-2000 which also arose from the said judgment and decree was ordered to be heard along with the said appeal i.e., RSA-2443-2000.

4. None had been appearing on behalf of respondent No.1-Romesh Chander and ultimately, it was reported that counsel representing respondent No.1-plaintiff-Romesh Chander had died and, therefore, notice was issued to respondent No.1-plaintiff, who is the contesting party, which was duly served. However, neither anyone has appeared on behalf of respondent No.1 on the last two dates of hearing nor has anyone appeared on behalf of respondent No.1 today to state as to whether he wishes to pursue the present case or not.

5. Learned Senior Counsel appearing for Bishan Dass has further



pointed out that the present appellant in RSA-2443-2000 had already retired and in all probability, respondent No.1-plaintiff would have also retired. It has been stated by the learned Senior Counsel for the appellant in RSA-2443-2000 as well as learned State Counsel that both the appeals be disposed of but liberty be granted to the appellants in both the appeals to restore the same in case respondent No.1-plaintiff files execution application or approaches the concerned Department for the implementation of the judgment of the First Appellate Court.

6. Keeping in view the abovesaid facts and circumstances, both the appeals are disposed of with liberty aforesaid.

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

08.10.2025

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No