



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

202

RSA-2155-1999 (O&M)

Date of Decision: 14.07.2025

Gurmel Singh

.... Appellant

Versus

Jarnail Singh and others

.... Respondents

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - None.

NIDHI GUPTA, J. (ORAL)

1. Appellant/defendant No. 2 is in second appeal against the judgment and decree dated 31.10.1998, passed by the learned Additional District Judge, Sangrur, vide which the appeal filed by the plaintiff/respondent No. 1 herein was allowed reversing the judgment and decree dated 27.10.1994 passed by the learned Addition Senior Sub Judge, Sunam.

2. The matter pertains to the year 1999.

3. On 24.05.2024, when this case was listed for hearing, following order was passed by a co-ordinate Bench of this Court:-

“Learned counsel for the appellant submits that despite reminder being sent to the appellant, he has not received any response from the appellant and requests that notice be issued to the appellant.

Let notice to the appellant be issued for 15.10.2024.

Notice to sole respondent be also issued for the date fixed.”

4. Pursuant thereto, notices were issued to the appellant as well as the respondents and service report dated 14.10.2024, reads as under:-

Sole Appellant	Died.
Respondents No. 1 and 2	Died.
Respondent No. 3	He was to be served through mother (as per original MOP). She is died.



5. On the last date of hearing 20.03.2025, a written request for an adjournment has been circulated by learned counsel for the respondent. Today again, another request for an adjournment has been circulated by learned counsel for the respondent(s) on the ground that he is in abroad (Canada) to attend a marriage on 13.07.2025.

6. In view of the aforesaid premise, issuance of fresh notice to the appellant would be a futile exercise. It appears that due to sheer long pendency of the present second appeal before this Court for a period of more than 25 years, the appellant or his LR(s), if any, have lost interest in pursuing the same, as no attempt has been made by the appellant or his LRs to contact his counsel or to engage a new counsel.

7. Be that as it may, in view of the foregoing circumstances, the instant regular second appeal is **dismissed for non-prosecution**, with liberty to the appellants or their LRs, if any, to move an appropriate application within a period of 03 months from today for reviving the same, if so, advised.

8. Pending application(s), if any, shall stands disposed of.

14.07.2025
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(NIDHI GUPTA)
JUDGE

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No