

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

212

2025:PHHC:089069



RSA No. 2432 of 2000 (O&M)
DECIDED ON: 21st July, 2025

Madan Lal

.....APPELLANT

Versus

M/s Shiv and Company

.....RESPONDENT

CORAM: HON'BLE MS. JUSTICE **NIDHI GUPTA.**

Present: None for the appellant.

NIDHI GUPTA., J (ORAL)

On the last date of hearing, following order was passed:

“As per office report, notice issued to learned counsel for the appellant has been received with the intimation that Shri Baldev Raj Kaushal, Advocate representing the appellant has already died and notice issued to the appellant has been received back unserved due to incomplete details. The office report further depicts that the partner, who was representing the sole respondent company has also expired and there is no application regarding impleading LRs of the respondent.

In the interest of justice, let actual date of hearing notice be issued to the appellant for 21.7.2025. Registry shall also make an effort through the Sarpanch of the concerned village as well as SHO of the concerned area to effect service upon the appellant, so that effective steps can be taken to dispose of the matter.”

2. As per office report received the sole respondent has died and no application for impleading his LRs has been filed by counsel and notice issued to appellant has been received back unserved due to incomplete details. Fresh notice issued to appellant through Sarpanch has been received back with report that Sarpanch has refused to accept notice and affixation made. Notice issued to appellant through SHO has not been received back served or otherwise.

3. In the aforesaid premise, issuance of fresh notice to appellants 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 24 years, the appellants or their LRs have lost interest in pursuing the same, as no attempt has been made by them to contact their counsel or to engage a new counsel.

4. 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 LRs of the deceased-appellants, if any, to move an appropriate application within a period of 02 months from today for reviving the same, if so, advised.

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

21st July, 2025

reema

Whether speaking/reasoned Yes
Whether reportable No

(NIDHI GUPTA)
JUDGE