



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

107

Regular Second Appeal No. 902 of 1990 (O &amp; M)

**Date of decision :-28.04.2025****Smt. Sakro****.....Appellant****Versus****Parmeshwari Dayal and another****.....Respondents****CORAM:- HON'BLE MS. JUSTICE NIDHI GUPTA**

Present:- Mr. Mukesh Tomar, Advocate  
for the appellant.

None for respondents No.2 and 3.

**NIDHI GUPTA J. (Oral)**

The appellant is in the appeal against the concurrent judgments and decrees passed by learned Courts below, whereby the suit for possession filed by the plaintiff/appellant has been dismissed

The matter pertains to the year 1990.

In first round there was no representation on behalf of any of the parties. In the second round, when the matter was taken up, learned counsel for the appellant submits that despite his best efforts, the appellant is not coming forward to pursue the present appeal and as such, he pleaded no instructions in the matter.

As per order sheets the case is still for effecting service upon respondent No.1, correct and complete address of whom has not been filed by learned counsel for the appellant so far.



On 10.08.2023, the co-ordinate Bench of this Court had passed the following order :-

*“Learned counsel for the appellant prays for two weeks’ time to furnish correct address of respondent No.1, so that the fresh notice can be issued.*

*Adjourned to 06.09.2023.*

*It is made clear that in case, the complete address is not furnished within two weeks’ the present appeal shall automatically stand dismissed for non-prosecution with no further orders required in this regard.”*

In 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 appeal before this Court for a period of more than 34 years, the appellant has lost interest in pursuing the same, as no attempt has been made by her to contact his counsel or to engage a new counsel.

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

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

April 28, 2025  
Vijay Asija

**( NIDHI GUPTA )**  
**JUDGE**

Whether speaking/reasoned Yes / No  
Whether Reportable Yes / No