



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

210

RSA-663-2000 (O&M)

Date of Decision: 09.04.2025

RANDHIR SINGH

.....Appellant

Vs.

LAKHVIR SINGH AND ANOTHER

.....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: None.

DEEPAK GUPTA, J. (ORAL)

On 02.07.2024, the following order was passed by this Court:-

Notice to Mr. H.S. Diwana, Advocate, through whom this appeal has been filed could not be issued as his Membership has been removed as per Bar Directory.

Notice issued to the appellant received back with the report that he has since expired, as reported by the registry. Till date, no application has been filed for bringing on record his legal heirs/representatives. As per memo of parties, appellant, since deceased, was resident of village Mandaur, Tehsil & District Fatehgarh Sahib.

Registry is directed to send a notice at the address mentioned in the memo of parties to the appellant and serve them through the concerned process server by taking assistance of the concerned Sarpanch/Panch/Numberdar of the village where the appellant is stated to be residing.

The said order be sent to the District & Sessions Judge concerned, for necessary compliance.

Notice to Mr. B.P.S. Virk, Advocate, who was representing the respondents was duly sent but there is no representation on his behalf.

In these circumstances, notice to respondents be also issued for the date fixed.

Adjourned to 25.09.2024.



Today, it is reported by the Registry that the deceased sole appellant has two sons, one is residing in Canada and the other has refused to accept the notice.

The address of son of the appellant who is residing in Canada is not available. The other son, who has refused to accept the notice, has not come forward so as to pursue this appeal.

Nobody else has put in appearance on behalf of the appellant.

In the aforesaid facts and circumstances, this Court is left with no option but to dismiss the present appeal for want of prosecution, making it clear that the legal representatives of the appellant will be at liberty to get it revived, in case any cause of action still survives.

09.04.2025

pry

(DEEPAK GUPTA)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No