



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

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**Regular Second Appeal No.6333 of 2016 (O & M)  
Date of decision :-27.01.2025**

**Dev Raj Garg (deceased) through LRs and another**

**.....Appellants**

**Versus**

**Parvesh Krishan and others**

**.....Respondents**

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

Present:- None for the appellants.

Mr. K.S. Lakhanpal, Advocate for  
Mr. Rakesh Gupta, Advocate  
for respondents No.1, 3, 5 and 6.

Mr. Hitesh Verma, Advocate  
for respondents No.7, 10 to 22, 30, 31 to 35, 41 and 44.

**NIDHI GUPTA J. (Oral)**

Challenge in the present appeal is against the judgment and decree dated 01.9.2016 passed by the learned Additional District Judge, Barnala whereby the appeal filed by the plaintiffs/respondents has been accepted.

Perusal of the last order dated 29.11.2019 passed by a coordinate Bench of this Court and the office report dated 14.8.2024 show that the service upon all the respondents is yet to be completed for want of complete, correct and updated addresses of respondents No.9, 13, 14, 20, 39, 46, 48 and 49; whereas respondents No.2(ii) and 2(iii) also remained unserved as they are stated to be not residing at



the given addresses. Perusal of the reports shows that the Registry has as many as six times reported the said report but learned counsel for the appellants did not adhere to the said reports. As per the last order dated 29.11.2019 on request of learned counsel for the appellants, dasti notices were issued for the service of unserved respondents but because of non-representation on behalf of learned counsel for the appellants, the fate of the said dasti notices cannot be explained. Even learned counsel for the appellants has not taken any steps for substitution of the deceased/respondents No.2(i) and 15 as directed by the co-ordinate Bench of this Court in the order dated 29.11.2019.

Today, there is no representation on behalf of the appellants, despite the case having been called twice. Therefore in view of the same and the office reports, it can safely be presumed that the appellants or their counsel are no more interested in pursuing the instant appeal. Thus, this Court is left with no other option except to dismiss the same for non-prosecution.

Ordered accordingly.

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

January 27, 2025

Vijay Asija

**( NIDHI GUPTA )  
JUDGE**

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