



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

229

RSA-3354-2016 (O&M)

Date of Decision: 25.03.2025

Banarsi Dass

.... Appellant

Versus

Phool Singh and another

.... Respondents

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

Present: - Mr. Sumit Gupta, Advocate for the appellant.

**NIDHI GUPTA, J. (ORAL)**

The defendant No. 1-appellant is in second appeal against the concurrent judgments of both the Courts below whereby the respondent No. 1/plaintiff's suit for permanent was decreed.

The matter pertains to the year 2016.

Vide last order dated 30.09.2024, learned counsel for the appellant was directed to take necessary steps to implead the legal heirs of deceased-respondent No. 1.

Today, learned counsel appearing for the appellant submits that the sole appellant has expired and pleaded no instructions in the matter. It is accordingly, prayed that the instant appeal may be disposed of with liberty to the LRs of the deceased-appellant, if any, to revive the same in case, anything survives.

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 second appeal before this Court for a period of more than 09 years, the appellant or his LRs have lost interest in pursuing



the same, as no attempt has been made by them to contact their previous counsel or to engage a new counsel.

Be that as it may, in view of the foregoing circumstances, the instant regular second appeal is **disposed of**, with liberty to the LRs of the appellant, if any, to move an appropriate application within a period of 06 months from today for reviving the same, if so, advised.

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

**25.03.2025**

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**( NIDHI GUPTA )  
JUDGE**

**Whether speaking/reasoned    Yes/No**

**Whether Reportable            Yes/No**