



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

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Regular Second Appeal No.4524 of 2018 (O & M)

Date of decision :-21.07.2025**Laxman Dass alias Makhan Lal (since deceased) through LRs****.....Appellants****Versus****Prem Lal and others****.....Respondents****CORAM:- HON'BLE MS. JUSTICE NIDHI GUPTA**

Present:- Ms. Sheenam Banchta, Advocate for
Mr. Rose Gupta, Advocate
for the appellants.

NIDHI GUPTA J. (Oral)

The present appeal has been filed against the judgment and decree dated 26.08.2015 passed by learned Civil Judge (Junior Division), Hisar whereby the Civil Suit filed by the respondent No. 1/plaintiff has been decreed to the effect that respondent No.1/plaintiff is entitled for half share of the Suit property and appellant/defendant No.1(i) alongwith respondents No.2 to 4/defendant No.1(ii) to (iv) and respondent No.5/defendant No.2 are entitled for other half share of the suit property; as well as against the Judgment and Decree dated 22.03.2018 passed by learned Additional District Judge, Hisar whereby the appeal filed by the appellant/defendant No.1(i) has been modified only to the extent that the respondent No.1/plaintiff is entitled for half share and appellant/defendant No.1(i) is entitled for other half share on the basis of Lease Deed (Ex.P1).



The matter pertains to the year 2018 and notice of motion has not been issued so far. The order sheets shows that as many as nine times the matter has been listed for hearing, out of which on seven dates i.e. 24.2.2023, 18.7.2023, 21.11.2023, 28.11.2023, 15.4.2024, 22.10.2024 and 25.3.2025 the matter was adjourned on request of proxy counsel appeared on behalf of arguing counsel for the appellants; on 20.8.2019 there was no representation on behalf of appellants; and only on 19.3.2021 learned arguing counsel for the appellants had put in appearance through video conferencing for preponement of date of hearing, which request was declined by the co-ordinate Bench. On 24.2.2023 when proxy counsel for the appellant appeared and prayed for adjournment, it was specifically ordered by the co-ordinate Bench that “...*It is made clear that no further adjournment will be granted*”. Despite that learned arguing counsel for the appellants did not adhere to the order passed by the co-ordinate Bench of this Court and had neither put in appearance, nor argue the matter. Even today arguing counsel for the appellants is not available and as usual request for adjournment has been sought by the proxy counsel for the appellants.

A bare reading of the above facts shows that the appellants have exhibited an utterly casual attitude in the pursuit of the present litigation. It is to be appreciated that very valuable public time of the Court has been expended in affording opportunities to the appellants in the interest of justice. On the other hand, the appellants have adopted an utterly casual and careless approach. It is clear that



neither the appellants nor their counsel are seriously interested in pursuing the present matter. 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.

July 21, 2025

Vijay Asija

(**NIDHI GUPTA**)
JUDGE

Whether speaking/reasoned Yes / No

Whether Reportable Yes / No