



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

120

RSA-1660-2023 (O&M)

Date of Decision: 25.02.2025

Malkhan @ Malkhan Singh

.... Appellant

Versus

Maman and others

.... Respondents

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - None.

NIDHI GUPTA, J. (ORAL)

The plaintiff No.5/appellant is in second appeal against the concurrent judgments and decrees of both the Courts below whereby the suit filed by plaintiff No. 5 along with his co-plaintiffs/respondents No. 24 to 31 herein for permanent and mandatory injunction along with consequential relief was dismissed.

The matter pertains to the year 2023 and notice is yet to be issued in the same.

Perusal of the order-sheet(s) shows that earlier this appeal was listed for hearing 08 times i.e. on 25.05.2023, 06.11.2023, 08.12.2023, 21.12.2023, 30.01.2024, 16.02.2024, 22.05.2024 and 21.11.2024; and on each and every, the case adjourned at the request of learned counsel appellant either on one pretext or the other. Today, there is no representation on behalf of the applicant-appellant, despite the case having been called twice. Even as per office report, learned counsel for the appellant has not filed brief synopsis in compliance of last order dated 21.11.2024.



A bare reading of the above facts shows that the appellant has exhibited an utterly casual attitude in his 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 appellant in the interest of justice. On the other hand, the appellant has adopted an utterly casual and careless approach. It is clear that neither the appellant nor his counsel is 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.

25.02.2025
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(NIDHI GUPTA)
JUDGE

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No