



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

223

RSA-3037-2012 (O&M)

Date of Decision: 22.04.2025

Thakar Dass

.... Appellant

Versus

Chiman Lal

.... Respondent

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - None for the appellant.

Mr. SPS Tinna, Advocate for the respondent.

NIDHI GUPTA, J. (ORAL)

The appellant-defendant is in second appeal against the concurrent findings of both the Courts below whereby the suit for permanent injunction filed by the plaintiff-respondent was decreed.

Perusal of the order-sheet(s) shows that the matter pertains to the year 2012 and notice of motion in the present appeal was issued by a co-ordinate Bench way back on 25.07.2013. Thereafter, the case was listed for hearing 16 times i.e. on 22.11.2013, 25.03.2014, 11.08.2014, 03.11.2014, 19.11.2014, 12.02.2015, 04.02.2016, 12.05.2016, 06.03.2017, 03.04.2017, 10.11.2017, 12.02.2018, 14.01.2020, 04.03.2022, 08.12.2022 and 06.12.2023, on which dates the case was adjourned either at the oral or written request of learned counsel for the appellant, or on account of non-appearance on behalf of the appellant; or on the joint request of learned counsel for the parties or on account of non-appearance on behalf of either of parties. Last opportunity to address arguments has been granted on several dates, but to no avail.



Today, in the first call Mr. Pawan Kumar, Advocate, appeared on behalf of the appellant and first requested for an adjournment. On his request being declined by this Court, learned counsel sought a pass-over. However, in the second call, none has put in appearance on behalf of the appellant.

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.

22.04.2025
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(NIDHI GUPTA)
JUDGE

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No