



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

114

RSA-2457-2019 (O&M)

Date of Decision: 14.01.2025

Jagjiwan Kaushal and another

.... Appellants

Versus

Rajan Kaushal and another

... Respondents

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

Present: - None.

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

After remaining unsuccessful before both the Courts below, the plaintiffs, have filed the instant Regular Second Appeal, against the judgment and decree of Ist Appellate Court dated 01.10.2018, affirming the judgment and decree of the trial Court dated 29.08.2016, whereby the '*suit for declaration*' filed by the plaintiff/appellants was dismissed.

The matter pertains to the year 2019 and notice is yet to be issued in the same.

Perusal of order-sheets shows that this case was listed for hearing for 05 times, out of which on 02 dates i.e. on 16.10.2019, the case was adjourned at the request of learned counsel for the appellants, whereas on 01.03.2024, photocopies of the lower Court records were ordered to be requisitioned; and on the remaining 03 dates i.e. 10.10.2023, 20.02.2024 and 08.07.2024 (last date of hearing), the appellants have gone un-represented.



Today also, for the fourth time there is no representation on behalf of the appellants, despite the case having been called twice. Therefore, it can safely be presumed that the appellants or their counsel are no more interested in pursuing the present second appeal.

The present Regular Second Appeal, is hereby dismissed for non-prosecution.

Pending application(s), if any, also stand disposed of.

**14.01.2025**

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**( NIDHI GUPTA )**

**JUDGE**

**Whether speaking/reasoned**

**Yes/No**

**Whether Reportable**

**Yes/No**