



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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RSA-1165-2017 (O&M)

Date of Decision: 16.09.2025

Jhabar Singh

.... Appellant

Versus

Anil Kumar and others

.... Respondents

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - None.

NIDHI GUPTA, J. (ORAL)

1. Appellant-defendant No. 1 is in second appeal against the concurrent findings rendered by both the Courts below whereby the suit for possession filed by respondent No. 1-plaintiff was partly decreed and the plaintiff was held entitled to recovery of amount of sale consideration of ₹4,47,500/- from defendant No. 1/appellant herein along with interest @ 6% per annum from the date of filing of suit till the date of realization.

2. The present appeal pertains to the year 2017. Vide order dated 02.03.2017, notice is application (CM-2712-2017) for condonation of delay of 611 days in filing the appeal was issued by the predecessor Bench of this Court. Perusal of the order-sheet(s) reveals that on the last 02 dates of hearing i.e. on 03.05.2017 and 23.10.2017, the appellant had gone un-represented.

3. Today again for the 3rd time, the appellant has gone un-represented despite the case having been called twice.

4. 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.

5. Ordered accordingly.

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

16.09.2025
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(NIDHI GUPTA)
JUDGE

Whether speaking/reasoned **Yes/No**

Whether Reportable **Yes/No**