



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

239

RSA-4002-2015 (O&M)

Date of Decision: 19.08.2025

Varinder Singh

.... Appellant

Versus

Pal Singh and another

.... Respondents

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

Present: - None for the appellant.

Mr. Abhilaksh Grover, Advocate for respondent No. 1.

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

1. Appellant-defendant No. 1 is in second appeal against the concurrent judgments and decrees rendered both the Courts below whereby the suit for specific performance of Agreement to Sell dated 17.03.2004 filed by plaintiff/respondent No. 1 was decreed.

2. The matter pertains to the year 2015.

3. Perusal of the order-sheets reveals that while issuing notice of motion in the main appeal vide order dated 27.09.2017, execution proceedings were directed to remain stayed. Thereafter, an application bearing CM-3634-C-2018, was filed by the respondent No. 1 seeking vacation of *ex parte* stay; in which application notice was issued by a co-ordinate Bench of this Court vide order dated 09.03.2018. Further, on 20.04.2023, when this case was listed for hearing, learned counsel for the appellant had sought time to implead the legal representatives of respondent No. 2. On the next date of hearing i.e. 21.01.2025 learned counsel for the appellant had sought extension of time to move an



appropriate application for impleading the LRs of deceased-respondent No. 2. However, as per office report, the needful has not been done till date.

4. Today, there is no representation on behalf of the appellant, despite the case having been called twice.

5. 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** present second appeal, for non-prosecution.

6. Ordered accordingly.

7. Pending application(s), if any, shall stands disposed of.

19.08.2025  
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( NIDHI GUPTA )  
JUDGE

**Whether speaking/reasoned**    **Yes/No**

**Whether Reportable**            **Yes/No**