



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

212

RSA-4152-2015 (O&M)

Date of Decision: 11.07.2025

Atma Ram

.... Appellant

Versus

Om Parkash and others

.... Respondents

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - Mr. RS Chahal, Advocate for the appellant.

NIDHI GUPTA, J. (ORAL)

1. The appellant-plaintiff No. 6 is in second appeal against the concurrent findings rendered by both the Courts below whereby the suit for possession through specific performance of Agreement to Sell dated 01.07.2002, filed by appellant/plaintiff No. 6 along with his co-plaintiffs/proforma respondents No. 2 to 13 herein, was dismissed.

2. The matter pertains to the year 2015.

3. Perusal of the order-sheets reveals that initially the matter was repeatedly adjourned at the request of learned counsel for the appellant. Subsequently, notice in the application (CM-10067-C-2015) for condonation of delay of 166 days delay in refiling the appeal was issued by a co-ordinate Bench vide order dated 18.07.2018. Thereafter, it was informed vide order dated 06.12.2018 that contesting respondent No. 1-Om Parkash had died; and time was sought by learned counsel for the appellant for impleading legal heirs of deceased-respondent No. 1. However, the needful has not been done since last about 07 years.

4. Today, learned counsel for the appellant has informed that the appellant is not coming forward to provide the details/particulars of



the legal representatives of deceased contesting/respondent No.1. It appears the appellant is not seriously interested in pursuing the present second appeal. Thus, learned counsel for the appellant prays that the present second appeal may be dismissed for non-prosecution.

5. In view of the above, the present second appeal is **dismissed for non-prosecution.**

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

11.07.2025

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**(NIDHI GUPTA)
JUDGE**

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No