



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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**Regular Second Appeal No.6251 of 2018 (O & M)
Date of decision :-18.03.2025**

Kuldeep Singh**.....Appellant****Versus****Chhinder Singh and others****.....Respondents****CORAM:- HON'BLE MS. JUSTICE NIDHI GUPTA**

Present:- None for the appellant.

NIDHI GUPTA J. (Oral)

The appellant has filed the present appeal against the concurrent findings of the learned Courts below whereby the suit filed by the appellant/plaintiff for Specific Performance of Agreement has been dismissed vide judgment and decree dated 20.1.2014 passed by Additional Civil Judge (Sr. Divn.), Rupnagar and the appeal filed against the said judgment and decree was also dismissed by the learned first Appellate Court vide judgment and decree dated 14.11.2017.

The matter pertains to the year 2018 and still notice of motion has not been issued. The order sheets shows that as many as seven times the matter has been listed for hearing, out of which on two dates i.e. 15.2.2024 and 13.8.2024 there was no representation on behalf of appellant and on rest of the dates the matter was adjourned either on request of learned arguing counsel or on request



of learned proxy counsel for the appellant. On the last date of hearing i.e. 25.9.2024 a co-ordinate Bench of this Court passed the following order :-

“Counsel appearing for the appellant prays for an adjournment to address the arguments.

Adjourned to 18.03.2025.

It is clarified that since the case has already been adjourned several times, therefore, it shall not be adjourned any further for any reason whatsoever and on the next date of hearing, the case shall be considered/decided finally, irrespective of the fact; whether counsel for the appellant comes present to address the arguments or not. It is further clarified that on the next date of hearing, if counsel for the appellant finds himself in some personal difficulty, he would be under an obligation to make alternate arrangement for addressing arguments in the matter.”

Despite passing of the aforesaid order there is no representation on behalf of appellant to address arguments.

A bare reading of the above facts shows that the appellant has exhibited an utterly casual attitude in the 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 applicant-appellant nor its counsel are 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.

March 18, 2025

Vijay Asija

(**NIDHI GUPTA**)

JUDGE

Whether speaking/reasoned Yes / No

Whether Reportable Yes / No