



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

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**Regular Second Appeal No.1417 of 1993 (O & M)  
Date of decision :-07.04.2025**

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

Present:- None for the appellant.

Mr. Sunil Agnihotri, Advocate for respondent No.4.

**NIDHI GUPTA J. (Oral)**

The appellant/plaintiff has filed the present appeal against the concurrent findings of the learned Courts below whereby the suit filed by the appellant/plaintiff for permanent injunction has been dismissed.

The matter pertains to the year 1993.

As per order sheets, on 16.04.2024, there was no representation on behalf of appellant; on 03.7.2024 matter was adjourned at request of learned counsel for the appellant; on 04.9.2024 again there was no representation on behalf of the appellant; on 28.11.2024 the matter was adjourned on request of learned proxy counsel for the appellant; and on the last date of hearing i.e. 23.1.2025 the matter was adjourned on written request for adjournment circulated by learned counsel for respondent No.4, for 03.7.2025. The matter is listed for hearing today in pursuance to order dated 17.3.2025 passed by Hon'ble the Chief Justice pertaining to cases already listed and adjourned to a date beyond 31.3.2025. Office report shows that learned counsel for the parties have



been informed through e-mail, however, there is no representation on behalf of appellant. The order dated 03.7.2024 passed by a co-ordinate Bench of this Court depicts that “...*It has also brought to the notice of the counsel for the appellant as regard office report that respondent Nos.2, 5 and 6 are reported to have died...*”. However, till date no steps have been taken by learned counsel for the appellant for impleading legal representatives of respondents No.2, 5 and 6. Despite intimation in respect of order of Hon’ble the Chief Justice, there is no representation on behalf of appellant even today.

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 despite the fact that the present appeal is of the year 1993. It is clear that neither the applicant-appellant nor his 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.

April 07, 2025  
Vijay Asija

( NIDHI GUPTA )  
JUDGE

Whether speaking/reasoned Yes / No  
Whether Reportable Yes / No