



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

207

Regular Second Appeal No.763 of 2001 (O & M)

Date of decision :-27.03.2025

M/s Ram Lal and sons

.....Appellant

Versus

Sukhwinder Singh

.....Respondent

CORAM:- HON'BLE MS. JUSTICE NIDHI GUPTA

Present:- None for the appellant.

Mr. Lavish Arora, Advocate for the respondent.

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 recovery of Rs.62,000/- has been dismissed.

On 02.2.2024 when the matter had taken up before the learned Daily Lok Adalat, it had been stated by learned counsel for the appellant that as the case is very old, he was not in contact with the appellant and prayed for issuance of fresh notice to the appellant. Accordingly, notice to the appellant was issued. On the next date i.e. 16.2.2024 none appeared on behalf of any of the parties before the learned Daily Lok Adalat. It has been noted in the order that the notice issued to the appellant received back duly served through partner; and notice issued to the respondent also received back served



by way of affixation. The case was returned to this Court by the learned Daily Lok Adalat with the observation that there is no possibility of compromise in the Lok Adalat.

Vide office report dated 25.3.2025 it has been reported by the office that the appellant is being represented by Mr. Akshay Bhan, Advocate. However, today none has put in appearance on behalf of appellant.

Learned counsel appearing for the respondent has submitted that the suit filed by the appellant/plaintiff for recovery of Rs.62,000/- has been dismissed by both the learned Courts below.

In the aforesaid premise, issuance of fresh notice to the appellant would be a futile exercise. It appears that due to sheer long pendency of the present appeal before this Court for a period of more than 24 years, the appellant has lost interest in pursuing the same, as no attempt has been made by him to contact his counsel or to engage a new counsel.

Be that as it may, in view of the foregoing circumstances, the instant appeal is dismissed for non-prosecution, with liberty to the appellant, to move an appropriate application within a period of 04 months from today for reviving the same, if so, advised.

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

March 27, 2025
Vijay Asija

(NIDHI GUPTA)
JUDGE

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