



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

209-A

IOIN-RSA-5055-1999 in/and
RSA-5055-1999 (O&M)

Date of Decision: 19.03.2025

Municipal Committee Samalkha, District Panipat

.... Appellant

Versus

Suresh Kumar and another

.... Respondents

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - None.

NIDHI GUPTA, J. (ORAL)

The defendant-appellant/Municipal Committee Samalkha, is in second appeal against the concurrent judgments and decrees of both the Courts below whereby the suit of the plaintiff/respondents for permanent injunction was decreed.

The matter pertains to the year 1999.

Perusal of the order-sheets reveals that when this case was listed for hearing on 16.02.2023, learned counsel for the appellant had been granted time to take steps for impleading the LRs of the deceased-respondent No. 2. However, as per office report the needful has not been done till date. On the last date of hearing i.e. 13.03.2024, learned counsel for the appellant had sought time to inspect the file.

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

A bare reading of the above facts shows that the appellant-Municipal Committee has exhibited an utterly casual attitude in its 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 its counsel is 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.

IOIN as well as the pending application(s), if any, shall also stand disposed of.

19.03.2025
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(NIDHI GUPTA)
JUDGE

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No