



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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RSA-3089-2013 (O&M)

Date of Decision: 13.02.2025

Gurdip Singh

.... Appellant

Versus

Surinder Kaur and another

.... Respondents

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - None.

NIDHI GUPTA, J. (ORAL)

The plaintiff-appellant is in second appeal against the judgment and decree dated 24.01.2013 passed by the learned Additional District Judge, Jalandhar, vide which the appeal filed by respondent No.1/defendant No. 1 was allowed reversing the judgment and decree dated 10.06.2010, passed by the learned Civil Judge (Junior Division), Nakodar.

The matter pertains to the year 2013 and has come up for hearing after the year 2019.

Perusal of the order-sheet(s) shows that notice of motion in the present appeal was issued by a co-ordinate Bench of this Court vide order dated 13.10.2014, by. Thereafter, the case was listed for hearing 07 times i.e. on 16.02.2015, 21.07.2015, 03.11.2015, 20.02.2017, 03.08.2017, 15.11.2018 and 18.11.2019 and since then, the same is lingering on for service upon respondent No. 2 i.e. for past more than 10 years. On the last date of hearing i.e. 18.11.2019, the appellant had gone un-represented and following order was passed by a co-ordinate Bench of this Court:-



“As per office report, correct address of respondent no. 2 has not been furnished, till date.

Today, there is no representation on behalf of the appellant.

In the interest of justice, adjourned to 20.05.2020.

In case, the correct address of respondent no. 2, is furnished within three weeks from today, fresh notice be issued to respondent no.2 for the date fixed.

It is made clear that no further opportunity in this respect, shall be afforded to the appellant.”

As per office report, again fresh notice could not be issued to respondent No. 2 as correct address has not been filed by learned counsel for the appellant.

Today for the consecutive second time, the appellant had gone un-represented despite the case having been called twice. A bare reading of the above facts shows that the appellant has exhibited an utterly casual attitude in his 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 his 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.

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

13.02.2025
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(NIDHI GUPTA)
JUDGE

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No