



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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IOIN-1-RSA-1055-2007 in/and
RSA-1055-2007 (O&M)

Date of Decision: 29.09.2025

Yash Pal and others

.... Appellants

Versus

Surender Singh and others

.... Respondents

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - None.

NIDHI GUPTA, J. (ORAL)

1. The appellant-defendants are in second appeal against the concurrent judgments rendered by both the Courts below whereby the suit for partition filed by the respondent-plaintiff(s) was decreed by both the Courts below.

2. Perusal of the order-sheet(s) reveal(s) that the present second appeal has been listed under the **IOIN Category** for completion of service upon respondents No. 1, 2, 4 to 13 and 15 to 17. On the last date of hearing 02.07.2025, when this case was listed for hearing, none had put in appearance on behalf of either of parties, despite the fact that learned counsel for the parties have been informed about the date fixed. Accordingly, learned counsel for the appellants was directed to furnish correct/current address of aforesaid respondents in the Registry and on his



doing so, fresh notices were ordered to be issued to the respondent for today.

3. Pursuant thereto, office report dated 23.09.2025 has been received, as per which fresh notices to respondents No. 1, 2, 4 to 13 and 15 to 17 could not be issued as learned counsel for the not done the needful in compliance of order dated 02.07.2025. As such, the main second appeal is ordered to be taken on Board, for final hearing today itself.

4. Even today none has put in appearance on behalf of the appellants despite the case having been called twice. Further, perusal of the case file reveals that the matter pertains to the year 2007; notice of motion in the main appeal was issued by the Predecessor Bench of this Court way back vide order dated 27.08.2009. It is pertinent to mention herein that earlier the present second appeal was dismissed for non-prosecution vide order dated 03.03.2010. Subsequently, the present appeal was restored vide order dated 06.05.2010; and was admitted vide order dated 13.12.2010.

5. A bare reading of the above facts shows that the appellants have exhibited an utterly casual attitude in their pursuit of the present litigation. It is not for this Court to be chasing recalcitrant parties or their counsel to argue the matter before the Court; especially of such old vintage as the present one. It is to be appreciated that very valuable public time of the Court has been expended in affording multiple opportunities to the appellant in the interest of justice. On the other hand, the appellants



have adopted an utterly casual and careless approach. It is clear that neither the appellants nor the respondents, or Id. counsel are seriously interested in pursuing the present matter. Thus, this Court is left with no other option except to **dismiss** the main second appeal for non-prosecution.

6. Ordered accordingly.

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

29.09.2025
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(NIDHI GUPTA)
JUDGE

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No