



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

224

1. RSA-2319-2017 (O&M)

Puran Appellant

Versus

Surinder and others Respondents

2. RSA-5353-2017 (O&M)

Kamlesh Appellant

Versus

Surinder and others Respondents

3. RSA-768-2018 (O&M)

Sajjan Singh Appellant

Versus

Surinder and others Respondents

Date of Decision: 15.09.2025

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - Mr. Akshay Jindal, Advocate for the appellant(s)
(in all cases).

Mr. Sandeep Kotla, Advocate
for respondents No. 1 to 3 and 5 (in all cases).

NIDHI GUPTA, J. (ORAL)

1. All the aforementioned 03 second appeals are being disposed of by this common order as the facts, issues and parties involved in all the second appeals are identical. The defendant-appellant(s) are in the second appeal against the separate concurrent judgments and decrees of both Courts below whereby three different Civil Suits bearing Nos. 111, 112 and 113 of 2009 filed by the respondent-plaintiffs for possession with



consequential relief of permanent injunction, were decreed by both the Courts below. For the sake of convenience, facts are being extracted from

RSA-2319-2017, (Puran vs. Surinder and others).

2. On the last date of hearing i.e. 11.07.2025 when all the appeals were listed for hearing, following common order was passed by this Court:-

“While issuing notice in the application for condonation of delay vide order dated 13.09.2018 (in RSA Nos. 2319 and 5353-2017), it has been categorically noticed by a co-ordinate Bench of this Court that there was no scope interference on merits; and that notice is being issued only to explore the possibility of amicable settlement between the parties.

In view of the above, at the request of learned counsel for the appellant(s), the matter is referred to the Mediation and Conciliation Centre of this Court for exploring the possibility of amicable settlement between the parties, in view of the ‘Special Mediation Drive- Mediation for Nation’, initiated under the aegis of the Hon’ble Supreme Court.

The parties through their counsel are directed to appear before the Mediation and Conciliation Centre of this Court on 21.07.2025 at 10:00 A.M.

Registry is directed to inform learned counsel representing respondents No. 1 to 3 and 5 about the date fixed before the Mediation and Conciliation Centre of this Court.

Adjourned to 15.09.2025, for awaiting report of the Mediator.

A photocopy of this order be placed on the files of other connected cases.”

3. Pursuant thereto, Mr. Naveen Kashyap, Advocate was appointed as Mediator and as per report of the Mediator dated 10.09.2025, the matter has been returned back for listing before this Court being a **non-starter case** as, none had put in appearance before the Mediator on 03 dates i.e. on 21.07.2025, 18.08.2025 and 10.09.2025, despite issuance of notice(s) to the parties.



4. It is pointed out by learned counsel for the respondents No. 1 to 3 and 5/plaintiffs that all the 03 suits of the plaintiffs were decreed by the learned Courts below, keeping in view the fact that ownership and possession of the property in dispute was proved in favour of the plaintiffs.

5. Heard.

6. Perusal of order dated 13.09.2018 reveals that the predecessor Bench of this Court while issuing notice of motion in the application(s) for condonation of delay as well as in the main appeal (in RSA-2319-2017) had made it very clear that *'Notice in the application for condonation of delay as well as in the main appeal be issued for 07.12.2018 only to explore the possibility of amicable settlement between the parties'*.

7. In view of the facts noted above and as admittedly, mediation process between the parties has not fructified, the aforementioned 03 second appeals stand dismissed.

8. A photocopy of this order be placed on the files of other connected cases.

9. Pending application(s), if any (in all the cases), shall also stand disposed of.

15.09.2025

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**(NIDHI GUPTA)
JUDGE**

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No