

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-27204-2017(O&M)
Date of decision: 15.02.2024

Nageshwar Builders Pvt. Ltd.

... Petitioner

Versus

The Chief Administrator, Greater Mohali Area Development Authority
(GMADA) and another

... Respondents

CORAM: HON’BLE MR. JUSTICE ARUN PALLI
HON’BLE MR. JUSTICE VIKRAM AGGARWAL

Present: Ms. Nitika Sharma, Advocate, for the petitioner.
Mr. Ankur Mittal, Addl. AG, Haryana, and
Ms. Kushaldeep Kaur, Advocate.
Mr. Samarth Sagar, Advocate, for respondent No.4.

ARUN PALLI, J. (Oral)

On August 21, 2019, learned counsel for the petitioner was
afforded time to submit replication to the written statement filed on behalf of
respondent No.4. Even, on December 4, 2019, further time was granted to the
petitioner in this regard. On February 19, 2020, this Court had passed the
following order:

“Learned counsel for the petitioner prays for more
time to file rejoinder.

In the interests of justice, another two weeks’ time
is granted.

Adjourned to 04.05.2020.

Last opportunity. In case, rejoinder is filed beyond
the said period, it shall be accepted subject to payment
of Rs.20,000/- as costs.”

Concededly, even on the adjourned date, no replication was filed. The matter was repeatedly adjourned thereafter, on the request of learned counsel for the petitioner. The position is not any different even today, as again adjournment is prayed for.

Faced with this, learned counsel for the petitioner submits that despite repeated communications, none on behalf of the petitioner has contacted her office to pursue the matter.

That being so, the Court is choice-less but to dismiss the petition for non-prosecution.

Ordered accordingly.

However, in case, any cause of action, interest or dispute still survives, the petitioner shall be at liberty to move appropriate application for restoration of this petition and its decision on merits.

(Arun Palli)
Judge

(Vikram Aggarwal)
Judge

15.02.2024
Rajan

Whether speaking / reasoned:	YES/NO
Whether Reportable:	YES/NO