



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

111

RSA-578-2019 (O&M)

Date of Decision : 27.01.2025

SMT. JATTI BAI AND ANR

.... Appellants

VERSUS

MALAK CHAND @ MALAK DITTA (SINCE DECEASED)

THR LRS AND ORS

.... Respondents

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : None for the appellants.

Ms. Rupinder Kaur Thind, Advocate for the respondents.

ALKA SARIN, J. (ORAL)

1. The present appeal pertains to the year 2019. On first call, after the matter had been argued for some time, the learned counsel for the appellants had requested for a pass-over to further assist the Court. On second call none appeared on behalf of the appellants and the matter was again passed over. Even on third call none has put in appearance on behalf of the appellants.

2. On 20.01.2025 the following order was passed :

'Ms. Rupinder Thind, Advocate has appeared and has filed her vakalatnama on behalf of respondents No.1(ii) and 2 which is taken on record.

The present appeal pertains to the year 2019 and the same is still at the stage of preliminary hearing inasmuch as notice of motion is yet to be issued. Repeatedly the case has been adjourned on the request of the learned

counsel for the appellants. On 21.02.2024 learned counsel for the appellants had sought time to implead the legal representatives of deceased respondent No.1. On 21.03.2024, while allowing the application for impleadment of the legal representatives of deceased respondent No.1, inadvertently notice was issued to his legal representatives.

Today again on first call none appeared on behalf of the appellants. On second call a request for an adjournment has been made on behalf of the arguing counsel for the appellants on the ground that he is in personal difficulty. Though no ground is made out to further adjourn the matter, however, in the interest of justice, adjourned to 27.01.2025.

It is made clear that no further adjournment shall be granted on any account and in case the matter is not argued on the next date of hearing, the same shall be dismissed for non-prosecution.'

3. In view thereof, this Court is left with no other option but to dismiss the present appeal for non-prosecution.

4. Dismissed for non-prosecution. Pending applications, if any, also stand disposed off.

27.01.2025

Aman Jain

(ALKA SARIN)

JUDGE

NOTE:

Whether speaking/non-speaking: Speaking

Whether reportable: Yes/No