



118 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

RSA-2113-2019 (O&M)
Date of decision : 30.01.2025

Shri Kant

...Appellant

Vs.

Nawal Kishore

...Respondent

CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: None for the appellant.

ANIL KSHETARPAL, J. (Oral)

1. This regular second appeal was filed in the year 2019.
2. On 25.09.2019, learned counsel representing the appellant was not present. Thereafter, the case was taken up on 26.09.2019 and the counsel prayed for short adjournment, which was granted. Thereafter, the case was taken up on 21.01.2020 and on the request of the appellant's counsel the case was adjourned. On 21.03.2022, the following the order was passed:-

"Taken up through video conferencing.

On 25.09.2019, none had appeared on behalf of the appellant. On 26.09.2019, the case was adjourned on the request of learned counsel for the appellant. Again on 21.01.2020, the case was adjourned on the request of learned counsel for the appellant.

Today none has appeared on behalf of the appellant. However, a message for an adjournment has been received on the WhatsApp group created for the purposes of virtual hearing from learned counsel for the appellant on the ground that he is in some personal difficulty. Though, there is no ground to further adjourn the matter, however, keeping in view the intervening circumstances created due to the Covid-19 Pandemic and the fact that the matter has been listed for the

first time after 21.01.2020, one last opportunity is granted to learned counsel for the appellant to argue the matter, failing which the case will be dismissed for non-prosecution.

In the interest of justice, adjourned to 03.08.2022.

Registry to inform the counsel for the appellant of the date fixed.”

- 3. Thereafter, twice the case was adjourned on the request of learned counsel representing the appellant. Thereafter, the counsel has stopped appearing. He did not appear on 03.11.2023, 18.05.2024, 08.11.2024 and 16.12.2024. The position is no different today.
- 4. On 08.11.2024, the Court sought report from the Executing Court. It has been reported that the execution petition has been disposed of satisfactorily.
- 5. It appears that the appellant is no longer interested in prosecuting the appeal.
- 6. Dismissed for non-prosecution.

30.01.2025

neeraj

(ANIL KSHETARPAL)

JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No