

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

(216)

FAO-3049-2001 (O&M)
Date of Decision:-**22.09.2025**

VIKAS SHARMA

... Appellant

Versus

RAJESH KUMAR AND OTHERS

... Respondents

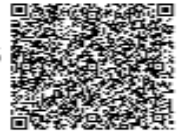
CORAM: HON'BLE MR. JUSTICE VIRINDER AGGARWAL

Present:- None for the appellant.

VIRINDER AGGARWAL, J. (Oral)

1. Despite case being called twice, none has chosen to appear on behalf of the appellant. This appeal pertains to an old matter and falls within the category of “*fully burnt cases*,” which have remained pending for a considerable length of time. The record reveals that ever since the destruction of the file, no steps have been taken by the appellant to initiate reconstruction proceedings, nor has any approach been made to the Registry for supply of documents essential to enable further prosecution.

2. The consistent absence of representation, coupled with the failure to take even rudimentary steps towards revival of the record, leads to the inescapable inference that the appellant has lost interest in prosecuting the cause. Litigation is not an open-ended exercise; a party invoking the jurisdiction of this Court bears a corresponding duty to diligently pursue the remedy sought. The appellant’s prolonged inaction amounts to gross



negligence, which cannot be condoned merely by allowing the matter to linger on the docket.

3. It is well settled that judicial time is a valuable public resource. Courts are duty-bound to ensure that such time is not squandered on matters where the litigant himself demonstrates indifference. Keeping an appeal pending indefinitely, without any assurance of effective prosecution, undermines the principle of expeditious justice and obstructs the timely adjudication of cases where parties are vigilant in pursuing their rights.

4. In these circumstances, no useful purpose would be served by continuing to retain the present appeal on the file. Accordingly, the appeal stands dismissed for want of prosecution. Nevertheless, in the interest of justice, liberty is reserved to the appellant to seek revival of the appeal by moving an appropriate application within a period of **‘three months from today’**, provided sufficient cause is shown for the earlier non-appearance and non-compliance.

5. As the principal matter already stands adjudicated, all pending miscellaneous applications, if any, are rendered infructuous and are accordingly disposed of.

22.09.2025
Gaurav Sorot

(VIRINDER AGGARWAL)
JUDGE

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No