



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

(218)

1.

FAO-2847-2004 (O&M)

Date of Decision:-25.09.2025

RAMESH KUMAR

... Appellant

Versus

SWARAN SINGH

... Respondent

2

FAO-2846-2004 (O&M)

RAJWINDER KAUR

... Appellant

Versus

SWARAN SINGH

... Respondent

CORAM: HON'BLE MR. JUSTICE VIRINDER AGGARWAL

Present:- None for the appellant(s).

VIRINDER AGGARWAL, J. (Oral)

1. Despite the matter having been called on two separate occasions, the appellants failed to appear either through their counsel or in person. A careful perusal of the record reveals that the instant appeal(s) was instituted by Mr. Ashok Khubhar, Advocate, who also failed to appear before the Court, notwithstanding due intimation being issued by the Registry. The appeal(s) in question pertains to an old matter, falling within the category of '*fully burnt cases*,' which has remained pending for an inordinate length of



time. Furthermore, the record indicates that ever since the destruction of the original file, the appellants have taken no steps to initiate reconstruction proceedings, nor have they approached the Registry with copies of the necessary documents to enable the effective and proper prosecution of the appeal. Such prolonged inaction reflects a manifest lack of diligence and *bona-fide* interest on the part of the appellants, resulting in undue and unwarranted delay in the adjudication of the matter, thereby impeding the expeditious administration of justice.

2. The persistent absence of representation, together with the appellants' failure to take even the most basic steps for the reconstruction of the record, gives rise to the unavoidable conclusion that the appellants have lost interest in pursuing the present appeal. Litigation is not an unbounded or indefinite exercise; a party seeking the intervention of this Court is under a corresponding obligation to actively and diligently prosecute the remedy claimed. The appellants' prolonged inaction amounts to manifest negligence, which cannot be excused merely by permitting the matter to remain pending on the Court's docket.

3. It is a settled principle that judicial time constitutes a precious public resource. Courts are duty-bound to ensure that such time is not wasted on matters in which the litigant demonstrates evident indifference. Allowing an appeal to remain pending indefinitely, without any reasonable assurance of its effective prosecution, undermines the fundamental principle of expeditious justice and impedes the timely adjudication of cases where other parties are diligently pursuing their legal rights.



4. In the circumstances detailed above, it is evident that no constructive or useful purpose would be served by allowing the present appeal to remain pending on the docket. The appellants have shown a clear lack of diligence in prosecuting the appeal, having failed to appear despite repeated listings and having taken no steps to revive the record or obtain necessary documents. In view of this prolonged inaction, the appeals are hereby dismissed for want of prosecution. However, in the larger interest of justice, the appellants are granted liberty to seek revival of the appeal by filing an appropriate application within a period of '**three months**' from the date of this order. Such revival shall be considered only upon the appellants demonstrating sufficient cause for their earlier non-appearance and non-compliance with procedural requirements. The Court makes it clear that any request for revival will be entertained strictly on this basis and in accordance with the principles of due diligence and expeditious disposal of cases.

5. In view of the fact that the principal matter has now been finally adjudicated, all pending miscellaneous applications, if any, have become infructuous and are, accordingly, disposed of.

6. Photocopy of this order be placed on the connected file.

25.09.2025
Gaurav Sorot

(**VIRINDER AGGARWAL**)
JUDGE

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