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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(OS) 707/2022 & I.A. 18810/2022, I.A. 29913/2025**
AMRITPAL SINGH CHATHAPlaintiff
Through: *Appearance not given*

versus

SWARAN SINGH CHATHA & ORS.Defendants
Through: Mr. Manohar Malik, Ms. Astha
Gumber and Ms. Farah Khan ,
Advocates for Defendant No.1 &
Defendant No. 2

CORAM:
HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER
17.03.2026

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1. On 02.02.2026, this Court passed the following orders:

"I.A. 29913/2025

1. This application under Section 151 of CPC has been filed on behalf of Defendant No.1 seeking early hearing of the Suit.

2. The instant Suit is one for possession, damages and mesne profit.

2. The instant Suit is one for possession, damages and mesne profit.

3. The present application reveals that the Plaintiff has not been diligent in pursuing the case. On 18.07.2025, this Court had cautioned the Plaintiff that if steps are not taken by the Plaintiff, the Suit will be dismissed for non-prosecution and the matter was placed before the Ld. Joint Registrar. On 28.10.2025, learned Counsel for the Plaintiff sought adjournment for moving an application for withdrawal of the Suit and the matter



was adjourned to 17.11.2025. On 17.11.2025, learned Counsel for the Plaintiff stated that the Plaintiff has not contacted them for filing the application for withdrawal of the Suit and the matter was adjourned to 24.11.2025. On 24.11.2025, the matter was adjourned to 17.03.2026.

4. Material on record indicates that, thereafter, on 01.12.2025, the present application seeking early hearing of the Suit was filed on behalf of Defendant No.1. Notice was issued to the Plaintiff through Counsel and the date of hearing was pre-poned to 18.12.2025 in the supplementary list. On 18.12.2025, since the service report was awaited, the matter was adjourned to today i.e., 02.02.2026.

5. Today, the learned Counsel for the Plaintiff states that he has not been able to contact the Plaintiff.

6. List on 17.03.2026, the date already fixed in the Suit.

7. It is made clear that if the Plaintiff does not appear on the next date of hearing or if the learned Counsel for the Plaintiff is not able to contact the Plaintiff, the Suit will be dismissed for non-prosecution.”

2. Despite service and the clear direction given by this Court vide Order dated 02.02.2026, the Plaintiff has not appeared today. Moreover, the learned Counsel for the Plaintiff states that he has not been able to contact the Plaintiff.

3. In view of the above, the Suit is dismissed for non-prosecution.

SUBRAMONIUM PRASAD, J

MARCH 17, 2026

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