

In the High Court of Punjab and Haryana at Chandigarh

**Civil Revision No. 1076 of 2015
Date of Decision: 28.07.2015.**

Piyoosh Mittal

.....Petitioner

Versus

Uttar Haryana Bijli Vitran
Nigam Ltd. and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Petitioner in person.

SABINA, J.

Petitioner has filed this petition under Article 227 of Constitution of India challenging the order dated 19.9.2014 (Annexure P-1) whereby application moved by the respondents for restoration of the appeal, was allowed.

Petitioner has submitted that the grounds mentioned in the application for restoration of the appeal were false. Hence, application moved by the respondents for restoration of the appeal was liable to be dismissed.

In the present case, petitioner had filed suit for mandatory injunction. Suit filed by the petitioner was decreed. Aggrieved against the said judgment/order passed by the Trial Court, respondents filed an appeal. Appeal filed by the respondents was dismissed in default vide order dated 21.3.2014. Thereafter, respondents moved an application for restoration of the appeal.

The Appellate Court while allowing the application held that the counsel for the respondents had failed to appear in the Court as the lawyers were on strike. Now after restoration of the appeal, the appeal will be decided on merits. Petitioner was compensated with costs by the Appellate Court while allowing the application for restoration of the appeal.

Keeping in view the interest of justice in mind, no ground for interference by this Court is made out.

Dismissed.

**(SABINA)
JUDGE**

July 28, 2015
Gurpreet