

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT
CHANDIGARH

C.R. No.1429 of 2011

Date of Decision.16.03.2015

Smt. Batooli

.....Petitioner

Versus

Jaikam and others

.....Respondents

Present: None.

CORAM:HON'BLE MR. JUSTICE K. KANNAN

1. Whether Reporters of local papers may be allowed to see the judgment ?
2. To be referred to the Reporters or not ?
3. Whether the judgment should be reported in the Digest?

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K. KANNAN J. (ORAL)

1. It is seen that the petitioner is jinxed. The suit had been earlier dismissed in default when there was a protest by the lawyers. Today when the matter has come up before this Court, again the petitioner chooses not to be present when the lawyers have decided on a boycott of Courts.

2. In the suit where the respondents have already been set ex parte, the Court should have only proceeded to consider the evidence of the petitioner and granted a decree if there were sufficient grounds for granting the decree. The suit instituted in the year 2008 is still languishing in Court, in spite of the fact that there is no contest in the suit. I am of the view that the laches on the part of the plaintiff must be dealt with by imposition of costs and the suit restored to file. I impose costs of ₹ 5,000/- as payable by the plaintiff to the Legal Services Authority at Palwal within two weeks from the date of receipt of copy of the order. If the amount is not paid, the order already passed shall stand

and be effective. If the amount is paid and the proof of such deposit is made before the Court, the Court shall restore the suit and set the case for disposal with the available evidence in accordance with law.

3. The revision petition is disposed of with the above observations.

(K. KANNAN)
JUDGE

March 16, 2015
Pankaj*