

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No. 1525 of 2015 (O/M)
Date of decision : 20.8.2015

The Haryana State Cooperative Apex Bank Ltd. Revisionist
Versus
Sunil Parkash and others Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Satbir Mor, Advocate, for,
Mr. Pardeep Solath, Advocate, for the revisionist.
Mr. Ramesh Sharma, Advocate, for respondent No. 1.
1. Whether the Reporters of local newspaper may be allowed to see
the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?
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KULDIP SINGH, J. (ORAL)

Respondent No. 1 has put in appearance. Respondent
No. 3 duly served, whereas respondents No. 2 and 4 not served.
Respondents No. 2 to 4 are otherwise proforma respondents and no
relief is claimed against them.

Impugned in the present revision is the order dated
19.2.2015 (Annexure-P-7), passed by the learned Civil Judge
(Junior Division), Panchkula, vide which the application filed by
plaintiff/respondent No. 1 for restoration of the suit, which was
dismissed in default, was allowed, subject to costs of Rs. 1,000/-
and the case was posted for evidence of the plaintiff.

The brief controversy involved in the present case is that
the suit of the plaintiff/respondent No. 1 regarding the service matter

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was dismissed in default on 20.4.2012 (Annexure-P-4) by the learned Civil Judge (Junior Division), Panchkula. In an application filed by the plaintiff/respondent No. 1 for restoration of the suit, the same has been allowed and the suit was ordered to be restored.

I have heard learned counsel for the parties and have also carefully gone through the file.

Learned counsel for the revisionist has argued that the application was filed after 2 years and 1 month of dismissal of the suit in default and no application for condonation of delay has been filed.

The lower Court has come to the conclusion that the application for restoration of the suit was moved within 30 days of the knowledge. Therefore, it was treated within the limitation. The effect of the order will be that now the suit will be decided on merits. Exercising the revisional powers, I do not find any ground to interfere in the impugned order dated 19.2.2015 (Annexure-P-7), passed by the learned Civil Judge (Junior Division), Panchkula, vide which the suit was restored and the same was ordered to be decided on merits.

The present revision is accordingly dismissed.

(KULDIP SINGH)
JUDGE

20.8.2015
sjks