

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

**CR No.2017 of 2011
Date of Decision: 30.01.2015**

Manjit Singh

.....Petitioner

Vs.

M/s Gagan Agro Chemicals

.....Respondent

CORAM: HON'BLE MR. JUSTICE R.P. NAGRATH

Present: Mr.Nakul Sharma, Advocate for the petitioner.

Mr.P.S.Brar, Advocate for the respondent.

R.P. NAGRATH, J. (ORAL)

Challenge in the instant petition is to the order dated 18.12.2010 (Annexure P-1) whereby the Appellate Court dismissed the application for restoration of the appeal in default.

The appeal filed by the petitioner was dismissed in default on 11.10.2010 in which application for restoration was filed on 03.11.2010, which was dismissed in default vide the impugned order. Therefore, the remedy available to the petitioner is to apply to the appellate Court itself for restoration of the application.

In view of the above, the instant petition is disposed of with liberty to the petitioner to make application before the appellate Court itself for restoration of the application which was dismissed in default. The execution of the decree however will continue.

**(R.P.NAGRATH)
JUDGE**

30.01.2015

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