

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

CR 2626 of 2015

Date of Decision: April 21, 2015

Paramjit Kaur

.....Petitioner

Vs.

Rajinder Singh and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI.

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Present:- Mr.P.P.S. Brar, Advocate
for the petitioner.

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M.M.S. BEDI, J. (ORAL)

It appears that harsh approach has been adopted by the trial Court in not restoring the suit dismissed in default on January 23, 2010 besides dismissing an application for restoration of the civil suit vide order dated December 2, 2014.

Order 43 Rule 1 (c) CPC provides that an order rejecting an application for an order to set aside the dismissal of a suit is an appealable order.

The petition is disposed of as not maintainable with liberty to the petitioner to file an appeal under Order 43 Rule 1 (c) CPC before the

Appellate Court. In case the application is filed within a period of 15 days, delay if any, in filing of the application will be condoned taking into consideration the provisions of Section 14 of the Limitation Act.

April 21, 2015
sanjay

(M.M.S.BEDI)
JUDGE