

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CR No. 358 of 2012

Date of Decision : 19.01.2015

Darbara Singh

....Petitioner

Versus

Gurlal Singh

....Respondent

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

Present: Mr. Arihant Jain, Advocate
for the petitioner.

Mr. Abhishek Goyal, Advocate
for Mr. Pardeep Goel, Advocate
for the respondent.

R.P. Nagrath, J. (Oral)

The instant petition has been filed under Article 227 of the Constitution of India seeking to set aside the order dated 13.08.2011 (Annexure P-2) passed by the Additional District Judge whereby application filed by the respondent under Order XXXIX Rules 1 and 2 of the Code of Civil Procedure (CPC) has been allowed and the order dated 10.02.2011 (Annexure P-1) passed by the trial Court has been set aside.

No application for bringing on record the legal representatives of the deceased petitioner has been filed. However, as per status report received from the trial Court, the suit was dismissed under Order IX Rule 8 CPC on 15.10.2012.

In view of the status report received from the trial Court, the instant petition has been rendered infructuous and the same is disposed of as such.

In case application for restoration of the suit is filed by the respondent, the petitioner would be at liberty to file application for recalling of this order.

January 19, 2015

jk

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