

In the High Court of Punjab and Haryana at Chandigarh.

**CR No. 398 of 2015
Decided on 12.2.2015**

M/s.Nav Durga Rice Mills

--Petitioner

Vs.

Punjab State Civil Supplies Corporation Ltd.

--Respondent

CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR JAIN

Present: Mr.Tribhuwan Singla, Advocate, for the petitioner

Rakesh Kumar Jain,J: (Oral)

The petitioner has challenged the order dated 04.9.2014, dismissing his application filed under Order 9 Rule 4 of the CPC for restoration of the objection petition which was dismissed in default on 14.5.2009 and the application for restoration filed after a delay of 3 years and 166 days.

Learned counsel appearing on behalf of the petitioner in the trial Court has been blamed that he had been giving wrong dates of hearing to it after the order dated 14.5.2009 was passed by the Court below.

The objection petition was dismissed for non prosecution. Admittedly, no action has been taken by the petitioner against the said Advocate, who had been cheating it for over a period of 3 years and 166 days. In the absence of any action having been taken, this Court is not inclined to believe the story of the petitioner. If the petitioner has really been duped by the said Advocate because of his unethical behaviour, it

could have easily made a complaint to the Bar Association of which he is a Member or to the Bar Council who has given him license to practice law or register a criminal case against him for breach of trust.

Dismissed.

12.2.2015
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(Rakesh Kumar Jain)
Judge