

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

CRM-M No. 34314 of 2013(O&M)

Date of Decision :10.02.2015

Kalindi Agro Biotech Limited

.....Petitioner

Versus

Surajpal Singh

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Sandeep Jasuja, Advocate
for the petitioner.

Mr.J.S.Hooda, Advocate
for the respondent.

- i. Whether Reporters of local papers may be allowed to see the judgment?
- ii. To be referred to the Reporters or not?
- iii. Whether the judgment should be reported in the Digest?

AJAY TEWARI, J. (Oral)

This is a petition challenging the order whereby the complaint filed by the petitioner was dismissed in default. On 09.10,.2013 the following order was passed:-

“Learned counsel for the petitioner contends that the petitioner was appearing regularly before the Court below and only on one date i.e. 2.3.2013, he remained absent as he was not informed about the date as his lawyer met with an accident. Learned counsel further contends that the circumstances were beyond the control of the

petitioner and he undertakes to appear and join court proceedings regularly in future also.

Notice of motion for 13.12.2013.”

Thereafter Mr.J.S.Hooda, Advocate appeared for the respondent and sought time to argue the matter. None has appeared today on behalf of the respondent even on second call to dispute the prayer made by learned counsel for the petitioner.

In this view of the matter the petition is allowed, the impugned order is set aside and the complaint is restored to its original number. The trial court will proceed further in accordance with law.

Since the main case has been decided, the Criminal Misc.Application, if any also stands disposed of.

(AJAY TEWARI)
JUDGE

February 10 , 2015
sunita