

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Crl. Revn. No. 448 of 2015 (O&M)
Date of decision:11.02.2015

Sanjay KumarPetitioner

Versus

Pardeep Kumar and anr.Respondents

CORAM : HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. G.C. Shahpuri, Advocate,
for the petitioner.

* * *

RITU BAHRI, J (ORAL)

The present revision is against order/judgment dated 05.02.2015 whereby the appeal filed by the petitioner/appellant has been dismissed for want of prosecution.

At the very outset, learned counsel for the petitioner submits that the appeal of the petitioner has wrongly been dismissed for want of prosecution, as it was the first date after the lower court record was received. The petitioner had not taken any undue adjournments to delay the decision of the appeal.

A perusal of order/judgment dated 05.02.2015 shows that on 05.02.2015, the lower Court record was received and it was the first date but the lower Appellate

Court had dismissed the appeal for want of prosecution.

Order/judgment dated 05.02.2015 is hereby set aside and the lower Appellate Court is directed to decide the case afresh on merits, after giving due notice to the parties.

The petitioner is directed to deposit Rs.5000/- as cost before the District Legal Services Authority, Yamuna Nagar at Jagadhari

The petition stands disposed of to the above extent.

February 11, 2015
G Arora

(RITU BAHRI)
JUDGE