

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

**CR No. 2497 of 2015
Date of decision : April 1, 2016**

Ritu and another

..... Petitioners

Versus

Krishan Kumar and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Mr. Devender Punia, Advocate
for the petitioners.

Mr. S. K. Chauhan, Advocate
for respondent Nos. 1 and 2.

1. Whether reporters of local papers may be allowed to see the judgment ?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

Amit Rawal, J (oral).

The petitioners are aggrieved of the impugned order dated 4.1.2014 and 25.11.2014 whereby on account of non-furnishing of correct address for service of defendant Nos. 1 and 2, the suit has been dismissed under the provisions of Order 9 Rule 2 CPC.

Learned counsel appearing on behalf of the petitioners submits that respondent No.1 and 2 are represented by Mr. S. K. Chauhan, Advocate, therefore service in the revision petition is deemed to have been affected.

Learned counsel appearing on behalf of respondent-defendant Nos. 1 and 2 submits that defendant No.1, at that point of time was behind the bars, therefore service could not be affected. Since defendant Nos. 1 and 2 have put in appearance through their counsel, therefore, there would be no necessity of furnishing of correct address, they have notice of the suit and may be given liberty to file written statement on the date notified by the trial court.

I have heard learned counsel for the parties, appraised the paper book and of the view that though respondents-defendants No.1 and 2 have put in appearance in the revision petition, the revision petition has become infructuous. However, for the purpose of compensating the respondents, I would impose costs of ₹10,000/- to be paid to the respondent's counsel in the High Court.

The revision petition is disposed of as having been rendered infructuous.

(AMIT RAWAL)
JUDGE

April 1 , 2016
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