

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

**CR No. 2801 of 2015(O&M)
Date of decision: 20.01.2016**

Gurjant Singh

... Petitioner

versus

Karamjit Singh and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. S.S. Panag, Advocate for the petitioner.

K.Kannan, J. (ORAL)

The suit which was dismissed for default was sought to be restored through an application. The application was also dismissed for non-payment of cost. There were two options open, (i) to either file an application for restoring the application which was dismissed for default for non payment of cost (ii) or treat the application for dismissal for default an an order which is appealable reading it with Section 141 that treats the reference to suit as reference to interlocutory proceedings as well.

The revision is not competent and the revision petitioner will approach the Appellate Court for intervention in accordance with law. If there is a delay, the petitioner is entitled to plead for exclusion of time by reference to application under Section 14 of the Limitation Act. If such a plea is made, the Court will consider the case and dispose it of in accordance with law.

The civil revision petition is disposed of.

**(K.KANNAN)
JUDGE**

20.01.2016

kv