

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Civil Revision No. 291 of 2016

Date of decision: March 11, 2016

Sanjeev Kumar

..... Petitioner

VERSUS

Sh. Brahm Parkash and others

..... Respondents

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

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

SURINDER GUPTA, J.(Oral)

Heard.

The appeal filed by the appellant against respondents no.3 to 6 was dismissed for want of prosecution by the first appellate court on the ground that for the last 6-7 dates correct addresses of these respondents were not filed.

Learned counsel for petitioner submits that the petitioner does not possess any other address of respondents no.3 to 6 and had to move application for their service through alternate mode i.e. publication in the newspaper but could not move the application on the date fixed i.e. 16.3.2015 as on that day lawyers were on strike.

On perusal of order passed by first appellate court, I find that the petitioner has taken undue liberty in delaying the appeal and has not complied with the orders of the court directing him to furnish correct addresses of respondents no.3 to 6. The petitioner is duty bound to supply

correct addresses of respondents and in this case despite orders from the court he failed to furnish the same and delayed the disposal of appeal which pertains to the year 2013.

However, keeping in view the interest of justice, one more opportunity is allowed to the petitioner to supply correct addresses of respondents no.3 to 6 or to move application seeking their service through alternate mode under Order V Rule 20 of the Code of Civil Procedure subject to payment of ₹10,000/- as costs which will be deposited with the mediation and conciliation centre of this court within four weeks. On payment of costs and producing receipt thereof, the appellate court will provide the appellant (petitioner herein) one more opportunity to effect service of respondents No.3 to 6.

The revision petition is disposed of accordingly.

The order has been passed in the absence of respondents to avoid unnecessary delay and expenses. A copy of this order be conveyed to the respondents. In the event of respondents having any objection, they may file application to that effect. On receipt of the application, the same be listed for hearing.

March 11, 2016.
deepak

(SURINDER GUPTA)
JUDGE