

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

C.R. No.3322 of 2016

Date of Decision.10.05.2016

Gurmeet Singh and anotherPetitioners

Vs.

Gurmukh Singh and othersRespondents

Present: Mr. J.S. Baasi, Advocate
for the petitioners.

CORAM:HON'BLE MR. JUSTICE K. KANNAN

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?

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K. KANNAN J. (ORAL)

1. In a suit which was dismissed for default, an application was filed for restoration. That application was also dismissed for default. The revision petition is filed against the order dismissing the application filed for restoration of an application which was dismissed for default. Section 141 CPC allows for the procedure prescribed under the Code in regard to suit to be applied also with reference to the miscellaneous proceedings. If under Order 43 Rule 1 CPC, there is a provision for an appeal against dismissal of an application for restoration of the suit under Order 43 Rule 1 (c), by virtue of Section 141 CPC, an application in such an application which is dismissed for default is also appealable.
2. The revision petition is not competent and disposed of as such with liberty to approach the Appellate Court for appropriate orders.

**(K. KANNAN)
JUDGE**

May 10, 2016
Pankaj*