

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CR No.3642 of 2016 (O&M)
Date of decision:23.05.2016

Sanjay Sharma and others

... Petitioners

Vs.

Sh. Parkash Chander Mudgal

... Respondent

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

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

Present:- Mr. Sanjiv Kumar Aggarwal, Advocate
for the petitioners.

AMIT RAWAL J. (Oral)

Petitioner-plaintiffs are aggrieved of the impugned order dated 31.03.2016, whereby, an application filed under Section 151 of the Code of Civil Procedure at the instance of the respondent-defendant for recalling of the order dated 28.11.2013, has been allowed.

Mr. Sanjiv Kumar Aggarwal, learned counsel appearing on behalf of the petitioner-plaintiffs submits that decision of the application has taken three years and no condition on costs has been imposed. An affidavit in support of the examination-in-chief was filed on 01.10.2012. The trial Court, vide order dated 28.11.2013 struck off the defence of the defendant.

I have heard learned counsel for the petitioner-plaintiffs and

gone through the paper book, as well as, impugned order.

No doubt, approach of the respondent-defendant had been very callous and tardy in not offering for cross examination of the witnesses. The trial Court having left with no other option but passed the order dated 28.11.2013. Though the application for recalling the order dated 28.11.2013 was filed on 16.12.2013 but for adjudication of the same, 03 years have gone and no costs have been imposed. I am of the view that no useful purpose would be served in calling upon the respondent-defendant. I deem it appropriate to direct the trial Court to decide the suit as expeditiously as possible preferably within a period of six months. None of the parties would indulge into protraction of the trial of the suit.

Accordingly, the revision petition stands disposed of.

(AMIT RAWAL)
JUDGE

May 23, 2016
savita