

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

**CR No. 482 of 2016 (O&M)
Date of decision: 25.01.2016**

Manjit Kaur and others

... Petitioners

versus

Nirmal Singh and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Ms. Surinder Kaur, Advocate for
Mr. Ravi Malhotra, Advocate for the petitioner.

K.Kannan, J. (ORAL)

The suit which is dismissed for non-appearance of the plaintiff must be taken to be an order under Order 9 rule 8 CPC and hence an application for restoration could be filed under Order 9 Rule 9 CPC. If the suit is otherwise dismissed on merits, and under circumstances delineated Order 9 Rule 3, the remedy would be to prefer an appeal against the judgment and cannot come by revision.

The revision petition is dismissed but with liberty to approach the trial Court or the Appellate Court as the case may be depending on the nature of order that has been passed by the Court below.

**(K.KANNAN)
JUDGE**

25.01.2016
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