

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

CR No.5706 of 2015
Date of decision : 01.02.2016

Subhash Ruhil and another

...Petitioners

Versus

Rajneesh Devi and others

...Respondents

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. Raghav Goel, Advocate for the petitioners.

Mr. Sanjiv Gupta, Advocate for respondent Nos.3 and 4.

AMIT RAWAL, J. (Oral)

The petitioner-plaintiff is aggrieved of the order dated 27.07.2012 (Annexure P-3), whereby suit has been dismissed in default and order dated 13.04.2015 (Annexure P-5), whereby application seeking restoration of the same has also been dismissed.

Mr. Raghav Goel, learned counsel appearing on behalf of petitioners-plaintiffs submits that lawyers had abstained from the work, therefore, suit had been dismissed in default and application filed for restoration of the same has also been dismissed on the ground that petitioner-plaintiff did not appear in the Court.

I have heard learned counsel for the parties and appraised the paper book.

From the perusal of the order, it is evident that even respondent had also not appeared. It is settled law that parties should not suffer on the lapse of counsel as per ratio decidendi culled out by Hon'ble Supreme Court of India in *Rafiz and another vs. Munshi Lal and another*, AIR (1981) SC 1400 and *Himalayan Cooperative Group Housing Society Vs. Balwan Singh*, 2015(7) SCC 373.

Keeping in view the aforementioned facts, order dated 27.07.2012 (Annexure P-3), whereby suit has been dismissed in default and order dated 13.04.2015 (Annexure P-5), whereby application seeking restoration of the same has also been dismissed, are hereby set aside.

Revision petition is allowed.

Parties through their counsel are directed to appear before the trial Court on 15.02.2016.

01.02.2016

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**(AMIT RAWAL)
JUDGE**