

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

C.R. No.683 of 2016

Date of Decision.02.02.2016

Satwant Kaur

.....Petitioner

Vs.

Gurnaib Singh

.....Respondent

Present: Mr. Rajan Bansal, Advocate
for the petitioner.

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. The order brings out an absurd situation of the plaintiff who is the applicant serving a notice on himself to have the suit restored. The order is clearly wrong and the Court has wrongly construed the defendant-respondent in the application as a person who has been served. From the order of summon issued itself, it becomes evident that the Court was passing an order in the absence of the defendant-respondent without any notice to him. I do not think time must be wasted by serving notice to the respondent. I dispense with notice to the respondent, set aside the order dated 05.12.2015 and I direct the Court below to issue notice of the application filed by the plaintiff-applicant to the party Satwant Kaur who was the defendant-counter claimant and proceed to pass order after hearing objections from the defendant-counter claimant.

2. The revision petition is allowed on the above terms.

**(K. KANNAN)
JUDGE**

February 02, 2016
Pankaj*