

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

CR No.7503 of 2016 (O&M)

Date of decision:10.11.2016

Babu Lal

....Petitioner

VERSUS

Pawan Kumar and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. Hemant Sarin, Advocate for the petitioner.

REKHA MITTAL, J.(Oral)

The present petition has been directed against order dated 01.11.2016 (Annexure P-3) whereby suit of the plaintiff/petitioner against unserved defendants/respondents has been dismissed under Order 9 Rule 2 of the Code of Civil Procedure, 1908 (in short 'CPC'). Rule 4 of Order 9 provides a specific remedy against dismissal of a suit either under Order 9 Rule 2 or Rule 3 CPC.

In the circumstances, the petition stands disposed of without prejudice to rights of the petitioner to file appropriate application before the trial Court for redressal of his grievance.

NOVEMBER 10, 2016
'D. Gulati'

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No