

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

CRM-A-1054-MA-2015 and
CRA-AS-54 of 2016 (O&M)
Date of decision: 28.03.2016

Vikram Singh Bisht

.....Appellant

versus

Jagtar Singh

.....Respondent

CORAM: Hon'ble Mr. Justice Kuldip Singh

Present: Mr. Rahul Vats, Advocate for the appellant

- 1. Whether Reporters of Local Newspapers 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?*

Kuldip Singh, J. (Oral)

Application for grant of leave to appeal is granted. CRA-AS-54-SB of 2016 has been assigned by the Registry.

CRM No.20489 of 2015

None has put in appearance for the respondent despite notice. Therefore, delay of 33 days in filing the appeal is condoned. The application stands disposed of.

CRA-AS-54-SB of 2016

Heard.

The appellant had filed a complaint under Section 138 read with Section 142 of the Negotiable Instruments Act, 1881. The same was dismissed for non-appearance of the complainant.

The perusal of the order shows that at that even on the last date of hearing complainant had not appeared and case was fixed for the appearance of the complainant yet he did not appear, despite calling it for several times. However, the interest of justice requires that the complaint should be decided on merits. Therefore, the impugned order is set aside the complaint is restored to its original number. The lower Court is directed to further proceed with the complaint.

The appeal is allowed.

28.03.2016

gk

**(Kuldip Singh)
Judge**