

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

CRM-A-284-MA-2014 (O&M)

Date of Decision: January 05, 2016

Rajbir

.... Applicant

vs.

State of Haryana and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. Rahul Sachdev, Advocate for
Mr. J.S. Ghuman, Advocate for the applicant.

Mr. Gurpreet Singh, Advocate for
Mr. Rohit Ahuja, Advocate for respondent No.2.

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)

CRM-6050-2014

There is delay of 55 days in filing the present application for leave to appeal.

For the reasons mentioned in the application, supported by an affidavit, delay of 55 days in filing the present application for leave to appeal, is condoned subject to all just exception.

Application stands disposed of.

CRM-A-284-MA-2014

Impugned in the present application for leave to appeal is the order dated 23.10.2013 passed by learned Judicial Magistrate 1st Class, Gurgaon, vide which the complaint filed by the present applicant under Section 138 of the Negotiable Instruments Act, 1881 was dismissed in default for want of prosecution.

In view of the averments made in the present application, the application for leave to appeal is allowed and the Registry is directed to allot the number of the appeal.

It comes out that none appeared on behalf of the applicant-complainant. However, there is no history to show that on the earlier occasions, the applicant-complainant had not appeared. Hence, the impugned order is set aside and the complaint is restored and it is ordered to be heard on merits.

Both the parties are directed to appear before the lower court on 22.01.2016.

January 05, 2016
sarita

(KULDIP SINGH)
JUDGE