

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

**CRM-A No.421-MA of 2015 in/and
CRA-AS No. 65 of 2016**

Date of Decision: April 22, 2016

M/s Rishi Finance (Regd.)

.... Applicant-complainant

vs.

Sarinder Singh

.... Respondent

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. Naveen Batra, Advocate for the applicant.

Mr. Amit Dhawan, Advocate for the respondent.

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 allowed and the Registry is directed to assign the number of the appeal.

CRA-AS-65 of 2016

Present appeal has been filed against the order dated 18.03.2014 passed by learned Judicial Magistrate 1st Class, Phillaur, vide which the complaint filed under Section 138 of the Negotiable Instruments Act, 1881 by the appellant was dismissed for non-appearance of the counsel for the complainant.

Learned counsel for the appellant contends that the counsel before the lower court had noted a wrong date. There is no previous such default.

In view of the matter, I am of the view that matter needs to be decided on merits. As such, the impugned order is set aside

and complaint is restored to its original number and is ordered to be decided on merits.

In view of the above, the present appeal is allowed.

Both the parties are directed to appear before the lower court on 12.07.2016.

April 22, 2016
sarita

(KULDIP SINGH)
JUDGE