

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-26852 of 2011

Date of decision : 19.05.2016

Rohit Kumar

... Petitioner

versus

Sushila

... Respondent

CORAM:- HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Tapan Kumar Yadav, Advocate
for the petitioner

Mr. J.S. Virk, Advocate
for the respondent

ANITA CHAUDHRY, J.(ORAL)

This petition had been filed in 2011. The counsel representing the petitioner on the very first hearing had stated that he was willing to explore the possibility of settlement. Limited notice was issued only to that extent on 05.09.2011. The matter was referred for mediation. Report was received back in November 2012 that the parties were not interested in resolving the dispute. The orders dated 3.10.2012 and 8.11.2012 passed by the Mediator show that none of the parties had appeared.

The respondent side in this case failed to appear on some dates and notice was again issued and the case was thereafter posted for filing reply and even costs were imposed upon the respondents. Neither the counsel for the petitioner nor the respondent side apprised the Court of the order passed at the time of notice. The Coordinate Bench had stayed the proceedings before the trial Court till further orders, on 11.08.2014. The trial has been held up.

Limited notice had been issued only to explore the possibility of settlement. It appears that petitioner was never keen on any settlement and has misused the process of the Court.

As there is no settlement, the petition can not proceed and dismissed.

May 19, 2016

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**(ANITA CHAUDHRY)
JUDGE**