

Civil Writ Petition No. 2473 of 2016

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

**Civil Writ Petition No. 2473 of 2016
Date of Decision: 9.12.2016**

Kailash Ghai

.....Petitioner

Vs.

The Joint Registrar, Cooperative Societies, Jalandhar Division, Jalandhar
and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present : Mr. N.S. Gill, Advocate for
Mr. Munish Gupta, Advocate
for the petitioner.

RAMESHWAR SINGH MALIK J. (ORAL)

This is 9th date in a row. When the case came up for hearing on
8.2.2016, following order was passed:-

*“There is no doubt that the petitioner is a principal
borrower who has not paid a single penny to the Bank
since 2010 violating the schedule of repayment. Let him
first deposit the amount or a substantial portion of it,
before this court considers the prayer made by him.*

*Adjourned to 14.3.2016 to enable the
counsel for the petitioner to seek instructions”*

On 14.3.2016, on the request of made by learned counsel for
petitioner, case was adjourned to 4.4.2016, by passing the following order:-

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“Learned counsel for the petitioner seeks time to place on record certain relevant documents.

On his request, adjourned to 4.4.2016.”

On 4.4.2016, learned counsel for petitioner sought more time to comply with the abovesaid order dated 8.2.2016 and on his request, case was adjourned to 10.5.2016. Again, time was sought on 10.5.2016 and after accepting request made by learned counsel for the petitioner, case was adjourned to 11.7.2016. Similarly, on 11.7.2016, learned counsel for the petitioner sought time and on his request, case was adjourned to 22.8.2016. On 22.8.2016 again, case was adjourned to 18.10.2016, on the request made by learned counsel for the petitioner.

When the case came up for hearing on 18.10.2016, case was adjourned for today, by passing the following order:-

“Learned counsel for the petitioner submits that he has already moved an appropriate application, but the same has not been listed. He seeks time to look into the matter.

On his request, adjourned to 9.12.2016.”

In the meantime, learned counsel for the petitioner moved CM No. 13207 & 13208 of 2016 for recalling the abovesaid order dated 8.2.2016. However, both the miscellaneous applications were dismissed as withdrawn, vide order dated 4.11.2016, which reads as under:-

“Learned counsel for the petitioner seeks permission for withdrawal of the applications with liberty to raise all these pleas before the Court where main case is pending.

Allowed to do so.

The applications are dismissed as withdrawn with liberty aforesaid granted.”

Today, learned counsel for the petitioner is not available to argue

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the case. Learned proxy counsel seeks still further adjournment on behalf of learned arguing counsel for the petitioner. Request made has not been found to be justified. Enough time has already been wasted.

In view of the above, present writ petition is disposed of, however, with liberty to the petitioner to file fresh writ petition on the same cause of action but with better particulars and also after complying with the abovesaid order dated 8.2.2016.

Disposed of, accordingly.

9.12.2016
Ak Sharma

(RAMESHWAR SINGH MALIK)
JUDGE

Whether speaking/reasoned Yes/No
Whether reportable: Yes/No