

HON'BLE SRI JUSTICE SURESH KUMAR KAIT

CIVIL REVISION PETITION No.2054 of 2017

ORDER : (Oral)

Vide the present petition, petitioner has challenged the order dated 7th March 2017 passed by the Principal Junior Civil Judge, Gurazala, in I.A.No.66 of 2017 in O.S.No.95 of 2016.

2. In the above order, it is recorded by the trial Court that on 7th March 2017, petitioner was called thrice at 10.30 a.m., 1.00 p.m. and 4.00 p.m. and further waited upto 5.00 p.m., however, there was no representation. Accordingly the said I.A. was dismissed.

3. Counsel appearing on behalf of petitioner submits that he has not filed the restoration application before the trial Court, however, straightaway came to this Court and filed the present petition.

4. Since I.A.No.66 of 2017 is **not** disposed of on merits, it amounts to dismissal for default.

5. In view of the above, without going into merits of the case, I hereby dispose of the revision petition by giving liberty to the petitioner to move restoration application before the Court below, which shall be decided after giving opportunity to both the parties.

Pending miscellaneous applications, if any, shall stand closed.

SURESH KUMAR KAIT, J

14th July 2017

ajr