

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

CR No.7093 of 2017

Date of Decision: 11.10.2017

Kartar Singh

.....Petitioner

Vs.

Rakesh Kumar and others

.....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.Sharad Mehra, Advocate, for the petitioner.

RITU BAHRI, J. (ORAL)

The petitioner has come up in revision against the order dated 25.08.2017 (Annexure P-1) vide which the application for restoration of appeal was dismissed.

Learned counsel for the petitioner submits that vide order dated 25.08.2017, the application for restoration of the appeal has been dismissed on the ground that application has been filed under Order 41 Rule 18 read with Section 151 CPC but this order 41 Rule 18 has been ommitted by the Code of Civil Procedure (Amendment) Act, 1999, as such, it was not maintainable.

In view of the above, this Court is of the opinion that this mistake was clerical and it could have been rectified. Therefore, the present revision is allowed by setting aside the order dated 25.08.2017.

Revision is allowed accordingly.

**(RITU BAHRI)
JUDGE**

11.10.2017

anil

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>