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

**Civil Revision No.7611 of 2015
Date of Decision: 11.08.2017**

Harbans Lal etc.

.....Petitioners

Vs

Jaswinder Kaur etc.

....Respondents

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Ms. Pushpender Kaur, Advocate for
Mr. Ravi Malhotra, Advocate
for the petitioners.

RAJ MOHAN SINGH, J.

[1]. In the present petition notice of motion was issued on 16.11.2015 and interim direction was given to the trial Court to adjourn the case beyond the date fixed by this Court. Thereafter fresh notices were ordered to be issued to the respondents on 12.02.2016 as the previous notices issued to the respondents were not received back served or otherwise. Interim order dated 16.11.2015 was made to continue.

[2]. On 03.05.2016, it was noticed by this Court that the notices issued to respondents Nos.1 and 2 were received back with the report that respondents Nos.1 and 2 were living in their

respective in-laws house, therefore, their correct address was required to be filed by the petitioners within three weeks and thereafter notices were ordered to be issued for 15.09.2016. The case could not be taken up on 15.09.2016 and the same was adjourned for 21.11.2016 by Order.

[3]. On 21.11.2016, due to non-filing of correct addresses of respondent Nos.1 and 2, it was ordered that the needful be done within a week, failing which this petition was to be dismissed for non-prosecution with deeming fiction. The order is reproduced as under:-

“Learned counsel has not filed correct addresses of respondents No.1 and 2. Needful be done within a week, failing which this petition shall be deemed to have been dismissed for non-prosecution.

To come up on 30.01.2017”

[4]. Further vide order dated 30.01.2017, it was noticed by this Court that in case needful was not within a week, the revision petition would be deemed to have been dismissed for non-prosecution. The case was adjourned for 17.05.2017. The office report for 17.05.2017 is indicative of the fact that no steps were taken by learned counsel for the petitioners to serve the unserved respondents.

[5]. In view of deeming fiction attached to the orders dated

21.11.2016 and 30.01.2017, this Court is left with no option, but to dismiss the prevision revision petition for non-prosecution.

[6]. Ordered accordingly.

August 11, 2017

(RAJ MOHAN SINGH)
JUDGE

Atik

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No