

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

CR No. 8034 of 2017(O&M)

Date of decision: 16.11.2017

Malkit Singh

.....Petitioner

VERSUS

Gurjit Singh and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. Sukh Pal Singh, Advocate for the petitioner.

REKHA MITTAL, J.(Oral)

The present petition directs challenge against order dated 18.09.2017 (Annexure P-2) passed by the Additional Civil Judge (Senior Division), Jagraon whereby suit filed by the plaintiff qua defendants/respondents No.2 to 4 has been dismissed for failure to furnish the complete and correct address of those defendants.

Perusal of the impugned order would reveal that the case was adjourned for service of defendants No.5 to 7 and 11 for 23.10.2017 when the suit qua defendants No.2 to 4 has been ordered to be dismissed for want of furnishing of their complete and correct address. The petitioner in place of filing an appropriate application before the Court below for providing an opportunity to comply with the orders of the Court by invoking Order 9 Rule 4 CPC has filed the present petition at the cost of incurring extra expenditure.

The present petition stands disposed of with liberty to the petitioner to file an appropriate application before the Court below for restoration of the suit against defendants No.2 to 4 with liberty for necessary compliance. Any such application filed by the petitioner shall be decided by the Court below on merits.

NOVEMBER 16, 2017

‘D. Gulati’

**(REKHA MITTAL)
JUDGE**

Whether speaking/reasoned :

yes/no

Whether reportable :

yes/no