

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

CR No. 8241 of 2017

Date of Decision: 27.11.2017

MED RAM

-PETITIONER

VS

BIJENDER KUMAR MOHANTI AND ANR

-RESPONDENTS

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Ravi K. Mattoo, Advocate,
for the petitioner.

RAJ MOHAN SINGH, J. (ORAL)

[1]. On 24.01.2017, the case was fixed for awaiting further orders from Hon'ble the Supreme Court. The copy of order dated 06.01.2017 passed by the Hon'ble Supreme Court was received whereby the SLP was dismissed.

[2]. The case was adjourned to 18.02.2017 for consideration on the report of Halqa Patwari. On the adjourned date, the Presiding Officer was on leave and therefore, the case was adjourned to 21.02.2017. Thereafter, the case was adjourned to 28.02.2017 in the presence of learned counsel for the judgment debtor.

[3]. On 28.02.2017, the case was fixed for consideration on the report of Halqa Girdawar but neither the judgment debtor nor his counsel appeared in the Court and the judgment debtor

was proceeded against exparte.

[4]. Thereafter, the case was adjourned on eleven dates i.e. 02.03.2017, 04.03.2017, 22.03.2017, 31.03.2017, 12.04.2017, 24.04.2017, 01.05.2017, 08.05.2017, 15.05.2017 and 23.05.2017. The factum of order dated 28.02.2017 was admitted by the petitioner, though it was claimed that due to professional compulsion of learned counsel for the petitioner, neither the petitioner nor his counsel could appear in the trial Court.

[5]. The civil suit was filed on 21.11.1996 and the decree granted by the trial Court on 16.01.2008 was upheld right upto the Hon'ble Supreme Court. The execution was filed on 04.04.2009 and the same is pending.

[6]. Even after passing of order dated 28.02.2017, the application in question came to be filed only on 23.05.2017, which is apparently barred by limitation under Article 122 of the Limitation Act.

[7]. No exception can be made out against the impugned order passed by the trial Court.

[8]. This revision petition is, accordingly, dismissed.

27.11.2017

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(RAJ MOHAN SINGH)
JUDGE

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