

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No. 2581 of 2018

Date of Decision: 10.09.2018

Rameshwar Dayal (deceased) through is LRs

.....Petitioner

Vs.

Anil (deceased) through his LRs and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Amit Kumar Shamra, Advocate, for
Mr. R.D.Yadav, Advocate,
for the petitioner.

AMOL RATTAN SINGH, J. (ORAL)

By this petition, the petitioner challenges the order of the learned Civil Judge (Senior Division), Rewari, dated 25.02.2008, by which his suit seeking a declaration and consequent permanent injunction was dismissed-in-default and subsequently, the application seeking restoration thereof was also dismissed, on the ground that the application had been filed more than one year after the dismissal and even five months after what was contended to be the date of knowledge of such dismissal by the petitioner-plaintiff.

The appeal filed by the petitioner was also dismissed by the learned Additional District Judge, Rewari, vide an order dated 10.11.2017, which is also an order that has been assailed in the present petition.

While dismissing the application and the appeal, Order IX Rules 2 and 3 of the Code of Civil Procedure have been duly referred to by the learned courts below, further noticing that even in the application seeking condonation of delay

in filing the application, no satisfactory reason had been given for the delay.

That being so, I see no reason to entertain this petition, which is dismissed in *limine*.

September 10, 2018
nitin

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	No.