

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

CR 6820-2016 (O&M)

Date of decision: 24.04.2018

Zale Singh @ Zile Singh

.....Petitioner

versus

Kamla

.....Respondent

CORAM: Hon'ble Mr. Justice Kuldeep Singh

Present: Mr. Parmod Parmar, Advocate for the petitioner
Mr. Neeraj Sharma, Advocate for the respondent

- 1. Whether Reporters of Local Newspapers may be allowed to see the judgment ?*
- 2. To be referred to the Reporters or not ?*
- 3. Whether the judgment should be reported in the Digest?*

Kuldeep Singh, J. (Oral)

Impugned in the present revision petition is the order dated 9.5.2016 passed by learned Additional Civil Judge (Senior Division), Jhajjar, vide which application for restoration of the suit which was dismissed in default on 12.9.2009 was dismissed.

It comes out that the suit for declaration and possession was dismissed for non-appearance of the plaintiff on 12.9.2009 and after four years the application was filed stating that the counsel did not inform him and that he was suffering from Paralysis. Trial Court found that there is no medical record to show that the plaintiff was suffering from Paralysis. There is delay of four years. Therefore, there is no sufficient cause for the absence of the plaintiff on the said date. There is no illegality or infirmity in the view taken by the trial Court.

Resultantly, the present revision petition stands dismissed.

Since the main case has been dismissed, therefore, the pending CM, if any, also stands disposed of.

24.04.2018

gk

Whether speaking/ reasoned:

Yes

Whether Reportable:

No

**(Kuldeep Singh)
Judge**