

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH.

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CR No.6508 of 2018 (O&M)

Date of decision:4.12.2018

Urmila

... Petitioner

versus

Pradeep Kumar and another

... Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH.

Present: Mr.Ferry Sofat, Advocate, for
Mr.Saleem Ahmed, Advocate,
for the petitioner

...

AMOL RATTAN SINGH, J. (Oral)

It is seen that this petition has been adjourned ever since 3.10.2018 with the learned counsel for the petitioner having been directed to place on record/produce in Court the order passed by this Court in a revision petition earlier filed by the petitioner.

On the next date of hearing, i.e. 4.10.2018, this Court had directed that the case files of CR No.6230 of 2018 and CR No.5412 of 2018 be put up alongwith this petition, with the matter adjourned to 8.10.2018. On that date, none had appeared, with the petition therefore adjourned to 9.10.2018, with the orders dated 3.10.2018 and 4.10.2018 repeated.

On 9.10.2018, counsel for the petitioner had been asked to point out from the amended and unamended petitions filed by respondent no.1 herein, as to the facts incorporated in the amended petition which were not there in the unamended petition, also pointing to the application for such amendment.

On 10.10.2018, the following order had been passed:-

“Learned counsel for the petitioner would place on record the amended petition after the application for such amendment was allowed vide the impugned order dated 23.07.2018, the said order very clearly stating that the case was to come up the next day, i.e 24.07.2018, for the respondent herein to file the amended petition.

Adjourned to 23.10.2018.”

On 23.10.2018, learned counsel for the petitioner had sought further time to comply with the aforesaid order and it was adjourned for the last time to 28.11.2018, with this Court having observed that if the earlier order was not complied with by that date also, the petition would be deemed to have been dismissed in default.

On 28.11.2018, order passed by a coordinate Bench on 6.9.2018 in CR No.5412 of 2018 were seen by this Court, the said order being as follows:-

“At the very outset, learned counsel for the petitioner wishes to withdraw the present petition.

Dismissed as withdrawn.”

In fact this Court had been inclined to dismiss the petition on that very ground on 28.11.2018 but on an earnest request made by learned counsel for the petitioner, it had been adjourned to today, with him asked to address arguments on the maintainability of this petition, even as regards Annexure P-7, as has been impugned in the present petition.

Today a request for an adjournment has again been made on

behalf of learned counsel for the petitioner.

Dismissed in default.

4.12.2018
pk

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No