

that is why, on 08.08.2017, the plaintiff visited the Court and enquired about the listing of the case. Plaintiff could not get the necessary clue about the case and thereafter, did not make effort for further period of six months when the application for restoration of the suit came to be filed.

[4]. The application was dismissed on 08.03.2018 by the Civil Judge (Junior Division), Faridabad in the presence of learned counsel for the plaintiff, still no appeal was filed before the District Judge within limitation.

[5]. The appeal was filed only on 31.07.2018. The appeal was patently time barred for which an application under Limitation Act was also filed. Owing to the conduct of the plaintiff, the application was dismissed. As a consequence of dismissal of the application, the appeal was also dismissed.

[6]. In view of conduct of the petitioner which is writ large on the record, no indulgence can be granted in favour of the plaintiff who was not alive to the situation at any point of time.

[7]. Dismissed.

11.12.2018

Prince

**(RAJ MOHAN SINGH)
JUDGE**

**Whether reasoned/speaking
Whether reportable**

**Yes/No
Yes/No**