

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

**CR No. 6336 of 2017
Date of Decision:30.10.2019**

RAJENDER KUMAR BANSAL

...Petitioner

Versus

RAJWANTI AND OTHERS

..Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. S.K.Hooda, Advocate
for the petitioner.

None for respondent No.3.

DEEPAK SIBAL, J. (ORAL)

The present petition is directed against the order dated 14.07.2017 passed by the Additional Civil Judge (Senior Division), Rohtak (for short-the Trial Court) dismissing the petitioner's suit qua respondent No.3/defendant No.3 since according to the Trial Court, in spite of grant of several opportunities, the petitioner had failed to effect service on the aforesaid respondent /defendant.

Respondent No.3, in spite of service in the present petition has not bothered to appear before this Court. Therefore, in spite of knowledge of the present proceedings filed before this Court he has not taken any steps to oppose the petitioner's prayer.

In view of the above, as also for the reason that the petitioner would not gain anything by not serving respondent No.3 before the Trial

Court, the impugned order, to the extent that the petitioner's suit qua respondent No.3/defendant No.3 was dismissed, is set aside and the Trial Court is directed to grant one more opportunity to the petitioner to effect service upon respondent No.3/defendant No.3.

The petition is allowed in the above terms.

October 30, 2019

Jyoti-1

Whether speaking/reasonedYes/No

(DEEPAK SIBAL)

JUDGE

Whether ReportableYes/No