

CR-7872-2017 (O&M)

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

CR-7872-2017 (O&M)

Date of decision : 20.03.2019

Harbans Singh and another

... Petitioners

Versus

Manpreet Singh

... Respondent

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. R.S. Rana, Advocate
for the petitioner.

AMIT RAWAL, J. (ORAL)

The present revision petition is directed against the impugned order dated 20.08.2015 passed by the lower Appellate Court, whereby the application of the petitioner-defendant filed under Order 7 Rule 11 of the Code of Civil Procedure for rejection of the plaint, allowed by the trial Court, had been dismissed.

The present revision petition is accompanied by an application seeking condonation of delay of 561 days in filing the revision petition on the premise that the petitioner is poor person and not in a position to engage a lawyer. In fact, the petitioner, on 01.02.2017, against the judgment and decree dated 20.08.2015 filed SAO before this Court, but the same was returned with some objections and after removing objection again re-filed, but this time also, the same was returned with objection. Ultimately, on 19.05.2017, the case was again re-filed and the same was returned with objection that the correction provision of law should be mentioned and now

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the present revision petition. In such circumstances, the delay has occurred.

Keeping in view the aforementioned facts, I am of the view that the application is bereft of any explanation in not filing the revision petition within the period of limitation i.e. 90 days from the date of the judgment and decree dated 20.08.2015 as the first date of filing SAO, as per the contents of the application, was February 2017. Accordingly, the present revision petition is dismissed on account of limitation.

20.03.2019
Yogesh Sharma

(AMIT RAWAL)
JUDGE

Whether speaking/reasoned **Yes/ No**

Whether Reportable **Yes/ No**