

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

CR No.8 of 2019 (O&M)
Date of decision : 08.01.2019

State Bank of India

...Petitioner

Versus

Gurmit Kaur and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Gurinderjit Singh, Advocate for the petitioner.

ANIL KSHETARPAL, J. (ORAL)

A Public Sector Bank is in the revision petition against the order passed by the trial Court dismissing the application for restoration of the suit which was dismissed for non-prosecution on 06.04.2017.

It has been noticed by the learned trial Court that the averments made in the application are factually incorrect. Application for restoration was filed with the assertions that the counsel noted a wrong date and, therefore, failed to appear on 06.04.2017, whereas the suit was dismissed under Order 9 Rule 2 CPC on account of failure of the plaintiff to furnish correct address of the defendants.

In these circumstances, there is no ground to interfere. However, liberty is granted to the plaintiff-petitioner to move a fresh application with correct particulars. If such an application is moved, the same shall be decided, in accordance with law.

In view of the above, the present revision petition stands disposed of.

08.01.2019

Pawan

**(ANIL KSHETARPAL)
JUDGE**

**Whether speaking/reasoned:- Yes/No
Whether reportable:- Yes/No**