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

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Date of decision : 09.12.2019

Dharmender Singh @ Bablu

... Petitioner

Versus

Manoj Kumar

... Respondent

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. J.P. Sharma, Advocate
for the petitioner.

ALKA SARIN, J.

The present revision petition has been filed challenging the order dated 17.09.2019, whereby the appeal filed by the petitioner-plaintiff, has been dismissed for non-prosecution by the lower Appellate Court.

The appeal was instituted by the petitioner-plaintiff before the lower Appellate Court, on 12.02.2018 and the lower Appellate Court has noticed in the impugned order that despite being given several opportunities to provide correct address of respondent, the same had not been filed. Even *dasti* notice had not been taken. The lower Appellate Court, therefore, dismissed the appeal for non-prosecution.

Learned counsel for the petitioner submits that due to the fact that the respondent has shifted to Jaipur, the petitioner-plaintiff faced certain difficulties in trying to get the address. In the present revision petition, he has given the present address of the respondent. He prays for

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one last opportunity for filing the correct address of the respondent, subject to payment of costs, which this Court may deem appropriate.

I have heard learned counsel for the petitioner and perused the paper book.

In view of the aforesaid facts, I deem it appropriate to grant one last opportunity to the petitioner-plaintiff to file the correct address of respondent within a week from the date of receipt of certified copy of this order, subject to costs of ₹20,000/, to be deposited in the Poor Patients Welfare Fund of the Post Graduate Institute of Medical Education and Research, Chandigarh.

It is made clear that in case, address of the respondent is not filed before the lower Appellate Court, within the prescribed period, the present revision petition will be deemed to be dismissed.

Civil Revision petition is allowed.

09.12.2019

Yogesh Sharma

**(ALKA SARIN)
JUDGE**

Whether speaking/reasoned **Yes/ No**

Whether Reportable **Yes/ No**