

**CR No.6662 of 2018(O&M)**  
**Date of Decision: 28.11.2019**

**Pawanjit Singh and another** ....Petitioners  
**Versus**  
**Sukhwinder Kaur and others** .....Respondents

**CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH**

Present: Mr. Sunil Chadha, Sr. Advocate with  
Mr. Chetan Bansal, Advocate  
for the petitioners.

Mr. Akshay Kumar Goel, Advocate  
for the respondents.

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**RAJ MOHAN SINGH, J.(Oral)**

[1]. Petitioners have laid challenge to the order dated 09.08.2018 passed by Civil Judge (Junior Division), Rajpura, vide which application dated 28.09.2017 for restoration of the suit which was ordered to be dismissed in default on 27.09.2017 was dismissed.

[2]. The suit was dismissed in default on 27.09.2017 i.e. the date on which the cremation of son of petitioner No.1 Pawanjit Singh took place. The application for restoration of the suit was filed on 28.09.2017 and the same was dismissed by quoting past conduct of the petitioners.

[3]. In my considered opinion, in such type of scenario,

prompt filing of the application itself is a sufficient cause for restoration of the suit. Impugned order appears to be harsh. Consequently, the same is set aside. The suit is ordered to be restored to its original number. Both the parties are directed to appear before the trial Court on 05.12.2019.

28.11.2019

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**(RAJ MOHAN SINGH)**  
**JUDGE**

**Whether reasoned/speaking**

**Yes/No**

**Whether reportable**

**Yes/No**