

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

Sr. No.113

Civil Revision No.2137 of 2021

Date of Decision : October 01, 2021

Jatinder Singh

...Petitioner

Versus

Harjinder Singh and others

...Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Suneet Pal Singh Aulakh, Advocate, for the petitioner.

Ms. Sehaj Sandhawalia, Advocate, for the respondents.

SUDHIR MITTAL, J. (ORAL)

The petitioner has challenged order dated 14.07.2021 (Annexure P-1) as well as order dated 27.08.2021 (Annexure P-9). Vide order dated 14.07.2021, the order of status quo granted on 01.06.2021 was vacated as all the defendants had not been served and the plaintiff had undertaken to serve them before the next date of hearing. Thereafter, application dated 16.07.2021 was filed for recalling the said order but the same has also been dismissed vide order dated 27.08.2021..

Learned counsel for the petitioner has submitted that petitioner had taken proper steps to serve the defendants. Notices were sent through registered postal covers and were served on 15.06.2021. A compliance affidavit dated 02.06.2021 was also filed. Thus, the trial Court was in error in dismissing the application for recalling order dated 14.07.2021 as well as in vacating the order of status quo on 14.07.2021.

A perusal of order dated 27.08.2021 shows that the plaintiff had sought dasti process to serve defendant Nos.2 to 6 at their local address.

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Registered envelopes were not sent as the Court had not issued any directions in that regard. The dasti summons were submitted with the report that the defendants were residing in U.K. Thus, according to the record of the trial Court, service has in fact not been effected. Consequently, it was justified in vacating the order of status quo. The submissions made by learned counsel for the petitioner cannot be accepted.

In view of the above, the revision petition has no merit and is dismissed.

October 01, 2021

Ankur

**(SUDHIR MITTAL)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No