

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

CR-3022-2009

Date of decision: 10.08.2022

Dalip Singh and others

... Petitioners

Versus

Malkiat Kaur and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI, JUDGE

Present: None.

ARUN PALLI, J. (Oral)

The defendants are in revision against the order dated 08.04.2009, vide which the trial Court had dismissed the application moved by them under Order 6 Rule 17 of the Code of Civil Procedure seeking amendment in the written statement.

On 27.05.2009, this Court while issuing notice of motion had observed that pronouncement of final judgment by the trial Court shall remain stayed in the meanwhile. Eventually, the matter was admitted on 28.10.2009. For, the interim order granted by this Court, as indicated above, was not specifically continued on the subsequent dates, the Court staff was instructed to enquire from the District Court, Amritsar if the suit between the parties is still pending. However, as per the intimation received, the suit filed by the respondents had in fact been decreed by the trial Court on 23.10.2009, and even the appeal filed against the said decree had also been dismissed on 06.02.2013.

None had caused appearance on behalf of the petitioners on the previous date i.e. 09.08.2022, and so is position even today.

In the wake of the above, it appears that with efflux of time, the revision has lost its efficacy and is rendered infructuous.

That being so, the revision is disposed of as infructuous. However, it is made clear that in case any cause of action, dispute or interest still survives, the petitioners shall be at liberty to move an appropriate application for revival of the petition and its decision on merit.

(Arun Palli)
Judge

10.08.2022
Rajan

Whether speaking / reasoned:	YES
Whether Reportable:	NO