

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

111

**CR-227 of 2019
Date of Order: 05.05.2022**

Amardeep Singh

..Petitioner

Versus

Charandeep Singh

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Ravi Kant Sharma, Advocate, for the petitioner.
Mr. Jastej Singh Arora, Advocate, for the respondent.

ANIL KSHETARPAL, J(Oral)

The plaintiff is the petitioner herein. He has filed a suit for recovery of Rs.62,813/- against his brother Charandeep Singh. The suit was filed in the year 2015, which was dismissed in default on 29.11.2017. An application for restoration has been dismissed by the trial Court on the ground that it is neither signed by the plaintiff nor it is supported by an affidavit.

In the considered view of the Court, such miscellaneous interim applications are not required to be signed by the parties. In any case, it was a curable defect and the Court should have given an opportunity to the plaintiff to file his affidavit.

It is evident that the plaintiff and his counsel have been negligent in prosecuting the suit.

Keeping in view the aforesaid facts, the revision petition is allowed, subject to payment of Rs.50,000/- which shall be deposited within a period of 3 months with the 'Poor Patients Welfare Fund' of the Post-Graduate Institute of Medical Education and Research (PGIMER), Chandigarh, personally or through its website “www.pgimer.edu.in” and

produce the receipt duly verified by his counsel before the Registrar General of this Court.

All the pending miscellaneous applications, if any, are also disposed of.

May 05, 2022

nt

(ANIL KSHETARPAL)
JUDGE

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