

CR-2296-2022

Date of Decision :02.06.2022

Navratan Chaudhary

...Petitioner

versus

Asha Mankotia

....Respondent

Coram : Hon'ble Mr. Justice B.S. Walia

Present : Mr. R.S. Waraich, Advocate for the petitioner.

B.S. Walia, J. (Oral)

1. At the outset, learned counsel for the petitioner states that the petitioner would be satisfied, if the instant petition is disposed of by directing the learned trial Court to decide the application under Order 9 Rules 4 & 9 read with Section 151 of the Code of Civil Procedure, for restoration of civil suit dismissed in default vide order Annexure P-6 dated 04.05.2018 in a time bound manner.

2. Learned counsel fairly concedes that order, dismissing the suit in default was passed on 04.05.2018, while application under Order 9 Rules 4 & 9 read with Section 151 CPC was filed only on 21.09.2021 and the case is now fixed before the learned trial Court on 29.07.2022.

3. In view of the nature of order proposed to be passed, there is no necessity to issue notice to the respondent. Accordingly, the instant petition is disposed of by granting liberty to the petitioner to move an application before the learned trial Court for expeditious decision of application Annexure P-9 dated 21.09.2021, under Order 9 Rules 4 & 9 read with Section 151 CPC. Needless to mention, in case any such

application is filed, the learned trial Court will consider and decide the same in accordance with law as expeditiously as possible.

4. Revision petition disposed of with the aforementioned directions.

(B.S. Walia)
Judge

02.06.2022
'Rajesh'

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