

Sr.No.120

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

CR-3239-2022

Date of decision:17.08.2022

Pragya Aggarwal

... Petitioner

versus

Deepa Batra and another

... Respondents

Coram: Hon'ble Mrs. Justice Manjari Nehru Kaul

Present: Mr. Sunil Chadha, Sr. Advocate with
Mr. Tara Dutt, Advocate
for the petitioner.

Manjari Nehru Kaul, J.(Oral)

Learned Senior counsel *inter alia* contends that the Court below while passing the impugned order dated 10.08.2022 was seemingly in a hurry in as much as even though it was brought to the notice of the Court concerned that vide order dated 08.08.2022 in CR No.3157 of 2022 the petitioner had been granted two weeks time to file his replication, it still went ahead and dismissed the suit in default. Learned counsel has further drawn the attention of this Court to Annexure P-10/A which is an affidavit of the counsel for the petitioner to the effect that even though he had appeared before the Court concerned during both the sessions i.e. pre and post lunch sessions, however, his presence had not been marked.

Heard.

This Court is not inclined to entertain the instant revision petition under Article 227 of the Constitution of India as alternative remedy under the provisions of law qua the relief sought herein is available to the petitioner.

At this learned Senior counsel submits that the petitioner would be moving an appropriate application before the Court below for availing her alternative remedy under the provisions of law and hence directions be issued to the Court below for expeditious decision qua the same.

In view of the limited prayer made by the learned Sr. Counsel, the Court below shall endeavour to decide the application of the petitioner, if and when it is moved, expeditiously in accordance with law.

17th August, 2022

[MANJARI NEHRU KAUL]

Shivani Kaushik

JUDGE

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No