

CRM-M-46424-2021

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

CRM-M-46424-2021

Date of decision:09.12.2022

Sahil

...Petitioner

Versus

Inderpal Singh

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Arjunveer Sharma, Advocate for
Mr. Naveen Sharma, Advocate,
for the petitioner.

HARNARESH SINGH GILL, J. (ORAL)

Challenge in the present petition is to the order dated 06.07.2021 passed by learned Addl. Sessions Judge Ludhiana in CRA No.402 of 2018, titled as 'Sahil Vs. Inderp singh', whereby the petitioner was directed to furnish the surety bond.

As per the office report, notice could not be issued to the respondent for want of correct address.

Vide order dated 08.11.2021 passed by a Coordinate Bench, notice of motion was issued and operation of the impugned order dated 06.07.2021 had been stayed.

On 10.01.2022, learned counsel for the petitioner sought two weeks' time to file the fresh address of the respondent.

On 24.03.2022, position also remained the same. Even on 15.07.2022, none appeared on behalf of the petitioner.

As per the office report, notice could not be issued to

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respondent for want of correct address.

The operation of the impugned order was stayed way back on 08.11.2021, but owing to non-filing of the correct address of the respondent despite availing four opportunities, notice could not be issued to him. Thus, the petitioner has failed to comply with the directions issued by this Court.

If a party wilfully flouts the order of the Court, then he cannot expect any equitable relief from the court and he must be made to bear the consequences of his action. After having obtained the stay, the petitioner cannot be allowed to sleep over its compliance. If such a course is allowed, every litigant will ignore the directions/orders issued by the Court. In my view, in cases like this, the petitioner in default must not be allowed to enjoy the benefits of his action.

Dismissed.

09.12.2022
parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No