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

CR-3821-2022 (O&M)
Date of decision: 13.09.2022

Harjinder Kumar @ Harjinder Pal

... Petitioner

Vs.

Balbir Singh and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Veneet Sharma, Advocate
for the petitioner.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for setting aside the order dated 25.05.2022 passed by the Addl. District Judge, Tarn Taran, vide which main appeal was ordered to be restored to its original number.

Heard.

The lower appellate Court, while passing the impugned order, has duly considered the fact that respondents No.1 & 2-appellants have shown a bonafide reason for non-appearance, therefore, the appeal is restored. Even otherwise, it is well settled principle of law that no one should be condemned unheard and if the appeal was dismissed in default, a lenient view can be taken in restoration of the same.

Accordingly, the present petition is dismissed.

However, considering the fact that the appeal is pending since May, 2016, it is directed that the lower appellate Court will make all endeavour to dispose of the appeal expeditiously preferably within a period of six months from today.

13.09.2022
vishnu

[ARVIND SINGH SANGWAN]
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No