

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CR-8101-2017

Date of Decision : 11.09.2023

Maan Singh

.....Petitioner

Versus

Inderjit Kaur and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present : None for the petitioner.

Mr. K.S. Chawla, Advocate for the respondents.

NAMIT KUMAR, J. (ORAL)

1. The petitioner has filed the instant revision petition challenging the order dated 13.09.2017 passed by learned Civil Judge (Junior Division), Samrala whereby an application filed by the petitioner/defendant No.1 under Order 1 Rule 10 of CPC for impleading the legal representative (adopted son of respondent/plaintiff) as plaintiff has been dismissed.

2. There is no representation on behalf of the petitioner. Even on the last three dates i.e. 07.09.2018, 27.09.2019 and 12.12.2022 none had appeared on behalf of the petitioner.

3. Learned counsel for the respondents submits that since the suit itself has been dismissed in default for want of prosecution vide order dated 16.05.2023 passed by learned Additional Civil Judge (Senior Division), Samrala, therefore, the present revision petition has

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been rendered infructuous. The concluding para of the order dated 16.05.2023 reads as under:-

“In such circumstances, considering the conduct of the plaintiff to be wilful disregard to the order of the Court, the suit of the plaintiff is dismissed in default, for want of prosecution. All the pending applications are also hereby disposed off. File be consigned to the Judicial Record Room, Samrala, after due compliance.”

Learned counsel for the respondents further submits that the above-said order has not been challenged by the plaintiff in appeal as yet. He further submits that another revision petition filed by the petitioner bearing No.CR-3472-2021 arising out of the same suit has also been withdrawn by the petitioner vide order dated 29.10.2022.

4. Disposed of as having become infructuous.

11.09.2023
Kothiyal

(NAMIT KUMAR)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No