

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH**CR-310-2023 (O&M)****Date of decision: February 21, 2023**

Ranjit Kaur

....Petitioner

versus

Mangal Singh and others

....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. Nagar Singh, Advocate for
Mr. Gurmej Singh Bhinder, Advocate for petitioner.

ARUN MONGA, J. (ORAL)

Revision petition herein is for setting aside impugned order dated 30.03.2019 (Annexure P-5) whereby application dated 03.07.2017 (Annexure P-4) for restoration of the Civil Suit No.85 of 2014 titled "Ranjit Kaur versus Mangal Singh and others" (Annexure P-1), which was dismissed in default vide order dated 05.03.2016 (Annexure P-3), was dismissed.

2. I find that present revision petition has been filed without giving any plausible justification on the objection raised by the Registry that alternative remedy of appeal has not been exhausted. Being so, revision petition is held to be not maintainable. However, liberty is granted to petitioner to approach Appellate Court under Order XLIII Rule 1 (c) of the Code of Civil Procedure, 1908 to seek appropriate remedy. In the interest of justice, time taken by petitioner before this Court in pursuing the instant revision petition shall be excluded from the period of limitation.

3. Needful be done within a period of 30 days from today, failing which, no benefit of limitation will be granted.

4. Disposed of, accordingly.

5. Pending applications, if any, shall also stand disposed of.

(ARUN MONGA)
JUDGE

February 21, 2023

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Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No