



201 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-42148-2013 & CRM-A-818-MA-2013
Date of Decision: 21.10.2024

THE INDIAN NATIONAL COOPERATIVE ... APPLICANT
VS.
ARUN KUMAR SHARMA .. RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Ms. Deepali Verma, Advocate for
Mr. Naveen S. Bhardwaj, Advocate
for the applicant.

ANOOP CHITKARA , J.(ORAL)

On 23.09.2024, this Court had passed the following order:-

“As per report of Registry,ailable warrants issued to the respondent received back unserved with the report that he is not residing at the given address.
Counsel for the applicant seeks time to file correct address of the respondent.
Let her do so positively on or before 30.09.2024.
Issue notice instead of warrants to the respondent for 21.10.2024 on filing of correct address of the respondent by 30.09.2024, failing which, this leave to appeal shall be dismissed for non-prosecution on the next date of hearing.”

Applicant's counsel submits that they do not have any access to the address of the respondent and they cannot be blamed for such.

Be that as it may, considering the procedural requirement, the present leave to appeal is dismissed with liberty to file fresh as and when the address is available. It is clarified that delay occurs for procurement of the address as well as the time for which the present leave to appeal was pending shall not be counted for the purpose of limitation. It is further clarified that dismissal of the present leave to appeal shall also not come in the way, if the complainant files fresh leave to appeal application.

Petition is dismissed with the liberty aforesaid.

All pending application(s), if any, shall also stand disposed of.

21.10.2024
smriti

(ANOOP CHITKARA)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No