

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

**CWP-10096-2024**

Date of Decision: 02.05.2024

Dalel Singh

..... Petitioner

Versus

State of Haryana and others

.....Respondents

**CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present: Mr. Ravinder Chaudhary, Advocate, for the petitioner.

**Rajesh Bhardwaj, J.**

1. Prayer in the present petition is for setting aside the orders dated 11.08.2023 (Annexure P-1) and order dated 04.03.2024 (Annexure P-2) passed by respondent No.1, whereby, revision petition was dismissed for non appearance of counsel for the petitioner and thereafter, subsequent application moved for re-admission of ROR was also dismissed by respondent No.1. Further prayer has been made to direct respondent No.1 to re-admission of ROR No.471/2021-22 on its original number.

2. Learned counsel for the petitioner has submitted that ROR filed by the petitioner was dismissed for non-prosecution due to the non-appearance of the counsel. At the outset, he fairly submits that if the revision is not restored to its original number, the petitioner would suffer an irreparable loss. He has further fairly submitted before this Court that he is not able to justify the absence of the counsel.

3. Notice of motion.

4. Ms. Upasana Dhawan, Assistant Advocate General, Haryana, accepts notice on behalf of the respondent-State.

5. After hearing learned counsel for the parties and perusing the record, it is apparent that the revision filed by the petitioner before the

Financial Commissioner was dismissed due to repeated absence of counsel. Thereafter, the application for restoration of the same was also filed after a delay of six months. However, learned counsel for the petitioner accepts the mistake on the part of the counsel for the petitioner, but it cannot be denied that the case has not been decided on merits and the litigant would be a victim, in case the same is not decided on merits.

6. Thus, in view of the overall facts and circumstance of the case, the impugned orders dated 11.08.2023 and 04.03.2024 are set aside and the revision is restored to its original number subject to costs of Rs.25,000/-, out of which Rs.15,000/- be deposited with the Poor Patients' Welfare Fund, PGIMER, Chandigarh and Rs.10,000/- be deposited with the Punjab and Haryana Bar Association within a period of two weeks from today. After restoration, learned Financial Commissioner would decide the revision petition as per law.

7. Disposed of in above-said terms.

02.05.2024  
sharmila

Whether Speaking/Reasoned  
Whether Reportable

(RAJESH BHARDWAJ)  
JUDGE

: Yes/No  
: Yes/No