



CR-4761-2024

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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CR-4761-2024

Date of decision : 10.12.2024

Sukhwinder Singh

... Petitioner

Versus

Amit Kumar and others

... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr.S.K. Choudhary, Advocate
for the petitioner.

VIKAS BAHL, J.(ORAL)

1. On 14.11.2024, this Court was pleased to pass the following
order:-

*“Present:- Mr. S.K. Choudhary, Advocate, for the applicant-
petitioner.*

Mr. G.S. Bhinder, Advocate, for respondent No.1.

CM-19913-CII-2024

*1. This is an application under Section 151 CPC for
recalling the order dated 03.10.2024 whereby the main
revision petition has been dismissed for non-prosecution.*

*2. For the reasons mentioned in the application, which are
duly supported by an affidavit, the same is allowed. The order
dated 03.10.2024 is recalled and the main revision petition is
restored to its original number.*

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Learned counsel for the petitioner has submitted that the petitioner prays for one opportunity to file written statement and also to cross-examine the witnesses of the plaintiff who have already been examined. It is further submitted that the plaintiff has no objection in case the impugned order is set aside and the only contesting parties in the present case would be defendants No.3 and 4, who are respondents No.3 and 4 before this Court, inasmuch as, defendant No.2 has already been proceeded against ex-parte. It is stated that to compensate the respondents No.3 and 4, the petitioner is ready to pay Rs.25,000/- each.

Notice of motion be issued to respondents No.1, 3 and 4 for 10.12.2024.

At this stage, Mr. G.S. Bhinder, Advocate, appears and accepts notice on behalf of respondent No.1 and has submitted that respondent No.1 has no objection in case the impugned order is set aside.

Liberty is granted to the petitioner to serve respondent Nos.3 and 4 through dasti process as well as through the counsel appearing before the trial Court.

Petitioner would prepare two demand drafts of Rs.25,000/- each in the name of respondents No.3 and 4 and to bring the same on the next date of hearing.

It is made clear that in case, the said drafts are not produced before this Court on the next date of hearing, then, the present revision petition would be liable to be dismissed on the said ground alone.

To be taken up in the urgent list.

November 14, 2024”

2. Learned counsel for the petitioner has submitted that in spite of his best efforts, the petitioner has not contacted him.



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3. Dismissed for non-prosecution. However, liberty is granted to the petitioner to revive the petition after the petitioner complies with the order dated 14.11.2024 and annexes the photocopies of the said two demand drafts with the application.

(VIKAS BAHL)
JUDGE

December 10, 2024.
Davinder Kumar

Whether speaking / reasoned	Yes/No
Whether reportable	Yes/No