



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

**CR-7478-2018 (O&M)  
Date of decision : 05.03.2025**

**ABHILASHA NUTRITION AND HEALTH FOODS PVT. LTD.**  
....Petitioner

**Versus**

**SAROJ BALA AND OTHERS** ...Respondents

**CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN**

Present : None for the petitioner.

Mr. Atul Jain, Advocate  
for respondents No.1 to 3.

Mr. Aakash Singla, Advocate  
for the applicant in CM-6526-CII-2022.

**PANKAJ JAIN, J. (ORAL)**

**CM-6526-CII-2022**

This is an application filed under Order I Rule 10 read with Section 151 CPC seeking transposition of the proforma respondent as petitioner in the revision petition.

Main revision petition is directed against order dated 11.12.2017 passed by Additional Civil Judge, Senior Division, Samana whereby defence of defendants No.1 to 4 was ordered to be struck off for having not filed written statement and for having not paid the costs.

Applicant is defendant No.4.



Revision petition was filed by defendant No.1 with the following prayer:

“It is, therefore, respectfully prayed that the revision petition kindly may accepted and the impugned order dated 11.12.2017 (Annexure P-2) be set aside and the petitioner may kindly be granted an opportunity to file the written statement, in the interest of justice.

It is, further prayed that during the pendency of revision petition the proceedings before the trial court may kindly be stayed in the interest of justice.

Any other order or direction which this Hon’ble Court may deem fit and property in the facts and circumstances of the case.”

It is matter of record that the applicant never preferred any revision against the impugned order dated 11.12.2017. Though, Mr. Singla claims that the applicant was participating in the trial under the impression that defendant No.1 will take care of his interest and the order will be set aside. However, from the prayer clause, it is evident that the prayer was made *qua* the petitioner i.e. defendant No.1 only. In these circumstances, this Court finds that the present application that too filed after 5 years of filing of the present revision petition seeking transposition, cannot be entertained. Resultantly, the same is ordered to be dismissed.

However, this order would not be an impediment in case the applicant prefers to file revision petition against order dated 11.12.2017 if otherwise maintainable under the law.



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None has come present on behalf of the petitioner.

2. Counsel appearing for respondent No.1 to 3 brings to the notice of the Court that defendant No.1 has already been proceeded *ex parte* for having not appeared before the Trial Court.
3. In view of above, the instant revision petition is dismissed as having been rendered infructuous.

March 05, 2025

(Pankaj Jain)  
Judge

Dpr

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