

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH****CR-2666-2025 (O&M)****Date of Decision : 27.01.2026**

Chandi Singh alias Chandi Ram

... Petitioner

Versus

Sandeep Malik

... Respondent(s)

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Raj Kapoor Malik, Advocate for the petitioner.

None for the respondent.

ALKA SARIN, J. (Oral)

1. Present revision petition has been filed under Article 227 of the Constitution of India challenging order dated 09.01.2024 (Annexure P-9) and order dated 02.04.2025 (Annexure P-11).
2. None had put in appearance on behalf of the respondent on the previous date. None has put in appearance on behalf of the respondent even today.
3. Briefly the facts relevant to the present *lis* are that plaintiff-petitioner herein filed a suit for recovery of ₹15,22,500/- alongwith interest *pendente lite* and future interest. The suit was dismissed in default vide order dated 09.01.2024 (Annexure P-9). An application was filed for restoration of the same on 07.11.2024 stating therein that the plaintiff-petitioner himself was unable to attend the Court proceedings on 09.01.2024 as he was suffering from low platelets and weakness due to genetic sugar disease whereas the counsel for the plaintiff-petitioner could not attend the Court as he was busy with his

son's kidney transplant and he was also a donor of the kidney. It was therefore prayed that the case be restored. The said application for restoration of the suit was dismissed on the ground that it had been filed after a period of 10 months. Hence, the present revision petition.

4. Learned counsel for the plaintiff-petitioner has pointed out that the defendant-respondent herein had already been served. The mother of the defendant-respondent had refused to accept the notice and thereafter *munadi* was ordered. Learned counsel for the plaintiff-petitioner has further contended that the plaintiff-petitioner due to his own illness could not attend the proceedings and his counsel himself could not attend the Court as his son was undergoing a kidney transplant.

5. Heard.

6. Though it has been stated in the application that the plaintiff-petitioner himself was unwell and son of his counsel was undergoing kidney transplant however, no medical record of either the petitioner or the counsel was appended with the application. Infact, on a query by the Court, learned counsel for the plaintiff-petitioner has candidly admitted that the kidney transplant was done a year earlier and that there was nothing on record to show that the plaintiff-petitioner himself was unwell or that his counsel was indisposed due to his health. In the absence of any such documentation, no fault can be found with the impugned orders.

7. In view of the above, present revision petition being devoid of any merit is accordingly dismissed. Pending applications, if any, also stand disposed off.

27.01.2026
jk

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO