



CR-7760-2023 (O&M)

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CR-7760-2023 (O&M)

Date of Decision : 24.07.2025

Gurpreet Singh

... Appellant

Versus

Parikshit Goel and another

... Respondents

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. Vinay Puri , Advocate,
for the petitioner.

Mr. Yogesh Goel, Advocate with
Mr. Yuvraj Attri, Advocate,
for the respondents.

PANKAJ JAIN, J. (Oral)

Challenge is to the order dated 17.11.2023 passed by Civil Judge (Junior Division), Ludhiana whereby the application filed by the plaintiff seeking restoration of the suit which was dismissed in default on account of his absence stands dismissed.

2. From the record, it is discernible that the suit was dismissed in default on 16.01.2023. The application was moved on 07.02.2023 within the prescribed period of limitation.

3. In the considered opinion of this Court, the Trial Court ought to have allowed the application and decided the same on merits. Needless to



CR-7760-2023 (O&M)

say, adjudication of the *lis* on merits is always in the interest of justice and in the interest of the parties.

4. In view of above, this Court finds that order dated 07.11.2023 cannot be sustained and the same is hereby set aside. The civil suit filed by the plaintiff is ordered to be restored to its original number.

5. Parties shall appear before the trial Court on 6.8.2025 subject to payment of ₹ 5000/- to be paid to the defendant.

6. Pending application, if any, stands disposed off.

(PANKAJ JAIN)
JUDGE

July 24, 2025

Paritosh Kumar

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