

(1995) 02 AHC CK 0106
In the Allahabad High Court
Case No : Civil Revision No. 845 of 1989

Mira Kar @ Kalyani Kar

APPELLANT

Vs

Timir Kumar Chakraborty & Anr.

RESPONDENT

Date of Decision : 23-02-1995

Acts Referred:

Allahabad High Court Rules, 1952 — Chapter 9 Rule 8
Civil Procedure Code, 1908 (CPC) — Section 115

Citation : (1995) 02 AHC CK 0106

Hon'ble Judges : D.S.Sinha, J

Final Decision : Dismissed

Judgement

D.S.Sinha, J.—This application for revision under Section 115 of the Code of Civil Procedure, 1908 is not accompanied by a copy of formal order impugned herein.

2. Under Rule 8 of Chapter IX of the Rules of Court, 1952 an application for revision has to be accompanied by a copy of the formal order against which the application for revision is directed unless the court, for sufficient cause shown, dispenses with the requirement of filing of the copy of the formal order.

3. On 15th December, 1989 the court directed this revision to be listed after a month and required the applicant to file a certified copy of the formal order in the meantime.

4. No formal order has been filed by the applicant even after the lapse of a period of more than five years nor is there any prayer for dispensation.

5. The revision is, therefore, dismissed as incompetent and also for noncompliance of the order of the court dated 15th December, 1989.

6. The interim order dated 15th December, 1989 shall stand discharged. The court below shall proceed with trial of the suit with due expedition The registry is directed to communicate this order to the court below promptly.

Revision dismissed.