**BEFORE THE ADDITIONAL CHIEF SECRETARY, COOPERATION DEPARTMENT HARYANA AT CHANDIGARH.**

**C.M. of 2018 IN**

REVISION PETITION NO. 13 OF 2018

The Jind Adarsh Co-Op. House Building Society Ltd. Jind through its Secretary. -------------Petitioner

Versus

Ram Chander Kapur & others --------------Respondents

Application under order 9 Rule 9 r/w Section 151 of CPC for restoration of the aforementioned revision petition, which was dismissed in default vide order dated 5.2.2020.

**RESPCETFULLY SHOWETH:-**

1. That the aforesaid revision petition was filed by the petitioner and came up for hearing on 5.2.2020.
2. That the case was fixed for 5.2.2020 for argument when counsel for the appellant reached in Sector-17 Chandigarh near about at 3 .P.M. than official of the Coopration department told that court is being held at Main Sectrariat –Chandigarh, Than counsel for the petitioner reached after parking his vwhical at 8th floor then time then official of the court told that time is over.
3. for first appearance of the respondents .But the counsel for the to the petitioner was not able to appear before this Hon’ble Court ,as he was on the way and when the counsel reached ,court time was over when the counsel for the petitioner enquired about the case then counsel came to know that the above mentioned case was already ordered to be dismissed in default due to non- appearance of the counsel.
4. That vide order dated 5.2.2020 the revision petition was dismissed in default and as such the applicant prays that the case may be kindly be restored to its original number in the interest of justice.
5. That the non-appearance was not deliberate and was unintentional.
6. That the petitioner will suffer an irreparable loss and injury if the revision petition in not heard on merits.

It is, therefore respectfully prayed that the order dated 5.2.2020 passed by the Hon’ble Court may kindly be set-aside and the petition may kindly be restored as its original number, heard and decide on merits in the interest of justice.

Place:- Chandigarh SURESH AHLAWAT

Dated :- 6.2.2020 Advocate

Counsel for the Petitioner

**BEFORE THE ADDITIONAL CHIEF SECRETARY, COOPERATION DEPARTMENT HARYANA AT CHANDIGARH.**

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Affidavit of Suresh Ahlawat Advocate Punjab and Haryana High Court Chandigarh.

I, the above named deponent do hereby solemnly affirm and declare as under:-

That the contents of the petition are true and correct to the knowledge of the deponent and nothing has been concealed therein.

Chandigarh:

Dated:

Verification:

Verified that the contents of my above affidavit are true and correct to the best of my knowledge and nothing has been concealed therein.

Chandigarh:

Dated :-

**BEFORE THE ADDITIONAL CHIEF SECRETARY, COOPERATION DEPARTMENT HARYANA AT CHANDIGARH.**

**C.M. of 2020 IN**

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**Place:- Chandigarh SURESH AHLAWAT**

**Dated:- 6.2.2020 Advocate**

**Counsel for the applicant/ Petitioner**

**BEFORE THE REGISTRAR , COOPRATIVE SOCITIES HARYANA AT PANCHKULA.**

**C.M. of 2021 IN**

REVISION PETITION NO. 13 OF 2018

The Jind Adarsh Co-Op. House Building Society Ltd. Jind through its Secretary. -------------Petitioner

Versus

Ram Chander Kapur & others --------------Respondents

Short Reply on behalf of petitioner:-

**RESPCETFULLY SHOWETH:-**

That application filed by the respondent no.1 for direction to the petitioner/Society for submitting the relevant documents on record is not main table because respondent no. 1 was/is not remain the member of the petitioner/society at any time. He has no locus-standi to file the present application for asking the such documents from petitioner /society. He is the stranger person of our society .There is no connection of our society with him. Whereas, Smt. Krishana Devi was the member of our society ,who took the house loan of Rs. 30,000/- in the year 1986 from us after mortgaged her house to our society. But she fail to repay this house loan which loan amount of Rs. 4,51,422/-was due till dated 31.5.2015, Later on, she sold fraudulently this mortgaged house to other persons on fake documents and other persons than sold this mortgaged property/house to the respondent no.1 and further documents of mortgaged property /house are still in our possession. Than in the above mentioned facts ,there is no question arise to supply any documents of our society to the stranger .

Keeping in view of the above facts, it is therefore, respectfully prayed that the application filed by the respondent no.1 being not maintainable, false and frivolous and devoid of merits may kindly be dismissed with costs in the interest of justice.

Panchkula SURESH AHLAWAT

Dated ADVOCATE

COUNSEL FOR THE PETTIONER