

Punjab Agro Industries Corporation vs Rajpati Yadav

Present:- Sh. Ashok Kumar, counsel for applicant.

1. By way of the present application **Under Section 114 of The Code of Civil Procedure**, the applicant seeks Review of the order dated **18.07.2024** in **CM-362-2024** titled as **“Punjab Agro Industries Corporation Ltd Vs. Rajpati Yadav”**, Whereby the application under section 151 of The Code of Civil Procedure seeking permission to deposit the requisite court fee was dismissed. The principal ground urged by the applicant is that the period from **01.06.2024 to 30.06.2024** was summer vacation, and therefore, the applicant could not move the application during the said period. It is submitted that the observation in the impugned order that the applicant could have approached the learned Vacation Judge during the summer vacations requires reconsideration.

2. I have considered the submissions and perused the record as well as the order dated **16.05.2024** passed by the Hon'ble High Court of Punjab and Haryana in **CR-2993-2024**. The said order specifically permitted the applicant to deposit the requisite court fee within one month from the date of the order, and further provided that in case the court fee was not deposited within the stipulated

period, the revision petition would be deemed to have been dismissed. Thus, the time granted by the Hon'ble High Court was neither open-ended nor subject to any further permission from this Court.

3. The application to furnish court fee was admittedly filed only on 04.07.2024 vide **CM-362-2024** titled as **“Punjab Agro Industries Corporation Ltd Vs. Rajpati Yadav”**. It is true that the Courts were observing summer vacation from 01.06.2024 to 30.06.2024. However, the judicial work does not come to a complete standstill during the vacation, as urgent civil matters are attended to by the Vacation Judge. Therefore, if the applicant genuinely intended to seek any judicial indulgence during the vacation, the applicant could have approached the competent Vacation Court instead of simply allowing the time granted by the Hon'ble High Court to lapse. More importantly, the applicant has not explained the period from 01.07.2024 to 04.07.2024. The Courts resumed functioning on 01.07.2024, whereas the present application was filed only on 04.07.2024. Even after the reopening of the Courts, the applicant did not act with the requisite promptitude. Thus, even if the period of

summer vacation is taken into consideration, there remains no satisfactory explanation for the delay after reopening of the Courts.

4. It is further significant that the Hon'ble High Court had already granted a specific period of one month for compliance. This Court cannot, in the guise of exercising its discretion, enlarge or extend the period expressly fixed by the Hon'ble High Court, particularly when the order of the Hon'ble High Court itself stipulated the consequence of non-compliance, i.e. that the revision petition would be deemed to have been dismissed.

5. The applicant has also failed to demonstrate that the earlier order suffers from any error apparent on the face of the record, discovery of any new and important matter or evidence which, despite due diligence, was not within the applicant's knowledge, or any other sufficient ground warranting exercise of review jurisdiction. A review cannot be sought merely because the applicant wishes to have the matter reconsidered on the same grounds which have already been considered and decided. The plea of summer vacation, therefore, does not furnish any ground for review of the order. Rather, the record shows that the applicant failed to comply with the specific direction of the Hon'ble High Court within the time

stipulated therein and thereafter also failed to approach the Court with due promptitude immediately upon reopening.

6. Consequently, no ground for review is made out. The present application for review is hereby **Dismissed**. File be consigned to judicial record room, Amritsar.

Date of Order: 11.08.2026

*Minakshi Bajaj, Stenographer Gr.II**

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