

CR-3319-2015 (O&M)

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CR-3319-2015 (O&M).

Decided on: May 15, 2015.

Ram Kanwar and others

..... Petitioner(s)

Versus

Rattan and others

..... Respondent(s)

*** * ***

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

**PRESENT Mr.Saurab Dalal, Advocate,
for the petitioners.**

M.M.S. BEDI, J (ORAL).

The lower appellate Court has set aside the order passed by the lower Court dismissing the application under Order 9 Rule 13 CPC, directing the parties to appear before the trial Court for further proceedings to get the matter adjudicated on merits after a fair opportunity.

After hearing counsel for the petitioners and going through the nature of the dispute between the family members, I am of the considered opinion that adjudication of the matter on merits would be expedient, in the interest of justice. The order passed by the lower appellate Court setting aside the ex parte decree with an objective to give fair opportunity to the defendants-respondents to seek adjudication on merits does not warrant any interference.

The petition is dismissed. However, taking into consideration the fact that the matter in controversy pertains to the

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year 2007, it is ordered that trial Court shall make earnest endeavour to conclude the trial expeditiously by giving fair opportunity to both the parties preferably within a period of one year.

May 15, 2015.
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(M.M.S. BEDI)
JUDGE