

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

C.R. No.4310 of 2015

Date of Decision.10.07.2015

Ajit Singh

.....Petitioner

Versus

Kuldeep Singh

.....Respondent

Present: Mr. R.K. Shukla, Advocate
for the petitioner.

CORAM:HON'BLE MR. JUSTICE K. KANNAN

1. Whether Reporters of local papers may be allowed to see the judgment ?
2. To be referred to the Reporters or not ?
3. Whether the judgment should be reported in the Digest?

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K. KANNAN J. (ORAL)

1. An application to set aside the ex parte decree was filed under Order 9 Rule 13 CPC. That application was dismissed for default. A restoration application was filed and that has also been dismissed. The remedy lies in preferring an appeal against the order dismissing the application for setting aside the decree before the Appellate Court since there is an appeal remedy available for dismissal of an application for default under Order 43 Rule 1 (c) CPC. Any interim order in interim application must also be taken as an order that is appealable by virtue of Section 141 CPC which states that the procedure provided under the Code shall be followed as far as it is applicable in all proceedings in any court of civil jurisdiction.
2. The civil revision petition is disposed of with liberty to the petitioner to avail the remedy as enumerated above.

**(K. KANNAN)
JUDGE**

July 10, 2015
Pankaj*