

CR-4455-2015 (O&M)

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

**CR-4455-2015 (O&M).
Decided on: July 16, 2015.**

Sain Singh

..... Petitioner(s)

Versus

Kanso Devi and others

..... Respondent(s)

*** * ***

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

**PRESENT Mr.R.K.Arya, Advocate,
for the petitioner.**

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

An application for setting aside the ex parte proceedings has been allowed and the ex parte proceedings have been set aside vide impugned order dated 27.5.2015.

Grievance of the defendant- petitioner is only to the extent that ex parte proceedings having been set aside, he should be given an opportunity to file written statement and contest the suit.

I have considered the facts and circumstances of the case. With the setting aside of the ex parte proceedings vide order dated 27.5.2015, the clock of the proceedings will revert back to the stage as it existed on the day defendant- petitioner was proceeded against ex parte.

This petition is disposed of in limine with a direction to the trial Court that in case the defendant- petitioner files an

CR-4455-2015 (O&M)

application for permission to place on record the written statement, the same would be allowed and the trial Court will proceed with the case in accordance with law after giving said permission.

Costs of Rs.2,000/- will be payable to the plaintiff-respondents for unnecessary harassment.

The present petition has been disposed of in limine to save the plaintiff-respondents from unnecessary expenses and litigation and in the interest of expeditious disposal of the suit. In case the order is not acceptable to the plaintiff-respondents, it will be open to them to approach this Court for review of the order.

July 16, 2015.
rka

(M.M.S. BEDI)
JUDGE