

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No. 6157 of 2015 (O/M)
Date of decision : 18.9.2015

Jagpal Singh

..... Revisionist

Versus

Malook Singh and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Rajinder Goyal, Advocate, for the revisionist.

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

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KULDIP SINGH, J. (ORAL)

Impugned in the present revision is the order dated 20.7.2015 (Annexure-P-5), passed by the learned Additional Civil Judge (Senior Division), Guhla, vide which the ex-parte proceedings against defendant No. 2/respondent No. 2 herein, initiated on 2.2.2012, was set aside, subject to costs of Rs. 1,000/-.

The grouse of the learned counsel for the revisionist is that sufficient facts have not been shown to set aside the ex-parte proceedings.

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It comes out that the suit is for specific performance of agreement of sale, in which declaration and permanent injunction has also been sought. The defendant No. 2/respondent No. 2 has levelled certain allegations against her counsel. In its wisdom, the lower Court decided that the defendant No. 2/respondent No. 2 should not be condemned unheard for the fault of her counsel.

I find no reason to interfere in the impugned order. It is always proper that so far as possible, the controversy should be decided on merits in place of passing judgment at the back of other party.

The present revision is accordingly dismissed.

(KULDIP SINGH)
JUDGE

18.9.2015
sjks