

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CR-627-2015

Date of decision: 29.1.2015

Dinesh Kumar

..... Petitioner

Versus

Laxmi Devi and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE R.P. NAGRATH

PRESENT: Mr. Sachin Mittal, Advocate for the petitioner.

R.P. NAGRATH, J. (ORAL)

The petitioner has invoked revisional jurisdiction of this Court under Article 227 of the Constitution of India, for setting aside the order dated 14.1.2015 (Annexure P-4) passed by the learned Civil Judge (Senior Division), Panipat whereby the application dated 6.9.2014 (Annexure P-2) filed by the petitioner, for setting aside the *ex parte* order dated 24.4.2013 (Annexure P-1) was declined.

At this stage, learned counsel for the petitioner submits that the petitioner would join the proceedings in the suit, without getting the *ex parte* proceedings set aside and make application before the trial Court to lead his evidence as the written statement on his behalf has already been filed.

The instant petition is, therefore, disposed of with the observation that on moving such an application before the trial Court within two weeks, the trial Court shall dispose of the same in accordance with law, and respondent No. 2-Suresh Kumar (defendant No. 1), shall also be at liberty to oppose the said application.

January 29, 2015

rishu

**(R.P. NAGRATH)
JUDGE**