

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR No.7080 of 2014 (O&M)
Date of Decision: 29.01.2015

Arun Kumar

...Petitioner

Versus

Balwant Kaur and another

...Respondents

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

1. *Whether Reporters of the 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?*

Present: Mr. Harsh Aggarwal, Advocate
for the petitioner.

Mr. Gobind Rai Sharma and
Mr. Ravish Bansal, Advocates
for the respondents.

R.P. Nagrath, J. (Oral)

The petitioner has invoked the revisional jurisdiction of this Court under Article 227 of the Constitution of India seeking to set aside the order dated 30.09.2014 (Annexure P-6) passed by the trial Court whereby application of defendant-respondents made under Order IX Rule 13 CPC for setting aside the ex parte decree was allowed.

The learned trial Court observed as under in the impugned order:-

“Even if we ignore this aspect and presume that Arun

Kumar and Harmanjit Singh are different persons, still the malafides of Harmanjit Singh can not be ruled out, rather are established from above referred statement of Harmanjit Singh, Jasmail Singh, FIRs, judgments and orders. The only conclusion that can be drawn from all these facts is that Harmanjit Singh has in fact identified the wrong persons with vested interest.”

Petitioner is not present despite last opportunity granted. Even earlier on 02.12.2014, 19.01.2015 and 27.01.2015 direction was given to the petitioner to appear in person, but he has not come.

For non-compliance of the directions, the instant petition is dismissed.

29.01.2015
sk

(R.P. Nagrath)
Judge