

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CR No. 818 of 2014

Date of Decision : 22.01.2015

Gurmeet Singh @ Gudha

....Petitioner

Versus

Lakhwinder Singh

...Respondent

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

Present: Mr. Ramesh Sharma, Advocate
for the petitioner.

Ms. Sukhpreet Kaur, Advocate
for the respondent.

R.P. Nagrath, J. (Oral)

The instant petition has been filed under Article 227 of the Constitution of India seeking to set aside the impugned order dated 27.09.2013 vide which application Annexure P-2 moved by the petitioner for setting aside the *ex parte* order dated 02.06.2012 was dismissed as well as the order dated 02.06.2012 passed by the trial Court whereby the petitioner was proceeded against *ex parte*.

I have heard learned counsel for the parties, carefully perused the impugned order and the paper-book.

Learned counsel for the respondent though submits that the petitioner accepted the summons sent to the defendant in the case and mentioned his name as Gurmeet Singh but the learned counsel for the respondent does not have any objection if heavy costs are imposed on the petitioner for setting aside the order.

In view of the above, the instant petition is allowed and the impugned order dated 27.09.2013 passed by the trial

Court is set aside as a result of which application filed by the petitioner for setting aside *ex parte* order dated 02.06.2012, is allowed subject to payment of ₹ 15,000/- as costs to be paid to the respondent. Further condition is imposed upon the petitioner to file his written statement as well as pay the amount of costs by way of demand draft in favour of the respondent on some date to be fixed by the trial Court after 30.01.2015, the date already fixed before it.

January 22, 2015
jk

(R.P. NAGRATH)
JUDGE