

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

CR No.1996 of 2015

Date of decision: 03.05.2016

Daljit Kaur

....Petitioner

Versus

Nirmala

....Respondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. Ishwar Lal, Advocate for the petitioner.

Mr. Maninder Arora, Advocate for the respondent.

REKHA MITTAL J. (Oral)

Counsel for the parties are *ad idem* that the petition may be disposed of and the execution proceedings may be kept in abeyance till the time, the application under Order 9 Rule 13 CPC for setting-aside the *ex parte* judgment and decree is disposed of by the trial Court in a time bound manner and subject to the terms and conditions to be ascertained by this Court.

In view of the above, the petition stands disposed of. The execution proceedings shall remain in abeyance till the time the application under Order 9 Rule 13 CPC is decided by the trial Court in accordance with law. The trial Court is directed to decide the application under Order 9 Rule 13 CPC within a period of 04 months. The petitioner shall be entitled to three effective opportunities to conclude her evidence within a period of 1½ months from the next date fixed in the proceedings. Thereafter, the respondent shall be entitled to three effective opportunities to conclude her evidence within a period of 02 months.

Disposed of accordingly.

**(REKHA MITTAL)
JUDGE**

03.05.2016

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