

112

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

CR No.2097 of 2016

Date of Decision : 04.04.2016

Harjit Singh

..... Petitioner

Versus

Kulz Family Bar and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Capt. Arun Sharma, Advocate for the petitioner.

1. Whether Reporters of 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?

AJAY TEWARI, J. (Oral)

By this petition, the petitioner has challenged order dated 20.02.2016 setting aside the ex-parte order against respondents No.1 to 3 on the basis of memo of appearance filed on their behalf.

Learned counsel has argued that the respondents have constantly been playing hide and seek and if at all ex-parte order has to be set aside, it should have been set aside only on regular power of attorney which has been duly executed by them.

Notice of motion has been issued but none has appeared to oppose it. I find that the argument raised by learned counsel for the petitioner is valid.

In the circumstances, the petition is allowed. The order dated 20.02.2016 is set aside and the trial Court is directed to proceed further with the matter as per law and if ex parte

proceedings have to be set aside they should only be set aside on the basis of power of attorney not on the basis of memo of appearance.

April 04, 2016

jt

(**AJAY TEWARI**)
JUDGE