

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

C.R. No.2576 of 2016

Date of Decision.08.04.2016

Inderjit Kaur

.....Petitioner

Vs.

Baldev Singh and another

.....Respondents

Present: Mr. S.K. Arora, Advocate
for the petitioner.

CORAM:HON'BLE MR. JUSTICE K. KANNAN

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?

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K. KANNAN J. (ORAL)

1. The order passed by the Court below in declining to set aside the ex parte order is set aside dispensing with notice to the respondents. The Court shall always be liberal in construing the applications for setting aside the ex parte orders under Order 9 Rule 7 CPC. So long as the decree is not passed, no serious prejudice will be caused more particularly when the 2nd defendant has been granted the opportunity to file the written statement when the suit is still pending trial.

2. The order already passed is set aside on condition of payment of costs of ₹10,000/- within a period of one week from the date of receipt of copy of this order. The statement shall also be filed within a period of two weeks and if the statement is not filed, the defendants will have the benefit of only participating in proceedings and no statement will be permitted to be taken on record.

3. The revision petition is disposed of.

**(K. KANNAN)
JUDGE**

April 08, 2016
Pankaj*