

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

**C.R. No.3468 of 2016**

**Date of Decision.18.05.2016**

Gugan Singh and others

.....Petitioners

Vs.

Shib Lal (deceased) through his LRs

.....Respondent

Present: Mr. Amit Jain, Advocate  
for the petitioners.

**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 civil revision is filed against the order passed by the trial Court declining the application for setting aside the ex parte order. The suit is said to be still pending. The powers under Order 9 Rule 7 CPC are wide and the Court will not fetter an adjudication on merit if any one of the ex parte defendants wants his case to be heard on merits.
2. The order already passed is set aside, dispensing with notice to the respondents. The ex parte defendant(s) will have the liberty to file written statement within two weeks from the date of receipt of copy of this order failing which the defence will be struck off and the Court will be competent to take the case further for trial in suit.
3. The revision petition is allowed with the above observations.

**(K. KANNAN)  
JUDGE**

**May 18, 2016**  
**Pankaj\***