

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

C.R. No.3675 of 2014

Date of Decision.08.04.2016

Kuldeep Singh

.....Petitioner

Vs.

Khazan Singh and others

.....Respondents

Present: Mr. Gagandeep Singh Sirphikhi, Advocate
for the petitioner.

Mr. Ashdeep Singh, Advocate
for respondent No.1.

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 revision petition is against the order passed declining to set aside the ex parte decree. The suit claim was for recovery of money. I had asked the party at the previous time whether he would be in a position to deposit any portion of the amount in expression of bona fides. The counsel for the petitioner has taken instructions and leaves it to the court's discretion to impose such conditions as it might think necessary. Considering the fact that the claim was for about ₹64,892/- with interest and for subsequent interest from the year 1982 onwards, I direct deposit of ₹50,000/- to the credit of the case. On such deposit, the plaintiff is at liberty to withdraw 50% of the same with security and 50% without security to the satisfaction of the Court. The manner of receipt and how this amount shall be accounted for will abide by the

final adjudication at the trial. The amount is directed to be deposited within a period of six weeks from the date of receipt of copy of this order. If the amount is not deposited as directed, the order already passed will stand and the decree would become executable and there can be no scope for contest. If the amount is paid, the written statement shall be filed within four weeks from the date when the amount is paid and when the case is called in Court. If the statement is not filed, the defence will be struck off and the Court will be competent to pass subsequent orders in the course of the decree.

2. The impugned order is modified to the above extent and the civil revision is disposed of with the above directions.

(K. KANNAN)
JUDGE

April 08, 2016
Pankaj*