

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

Civil Revision No.4078-2016 (O&M)

Date of decision: September 05, 2016

Balvir Singh Dhaliwal

...Petitioner

Versus

Baldev Singh & others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Arun K. Bakshi, Advocate for the petitioner.

Rajan Gupta, J.

Present revision petition is directed against the order dated 28.03.2016, passed by the trial court allowing the application filed by respondent No.1 U/O 9 Rule 13 CPC for setting-aside ex-parte judgment & decree dated 19.07.2011 and ex-parte order dated 2.12.2006.

The orders have been assailed by the counsel for the petitioner. According to him, predecessor-in-interest of Baldev Singh Dhaliwal as well as respondents No.2 and 3 were fully aware of the pendency of suit. Thus, judgment and decree dated 19.07.2011, passed in the said suit is legal and not required to be set-aside.

I have heard learned counsel for the petitioner and given careful thought to the facts of the case.

It reveals that a civil suit No.50 of 2005 was filed by the petitioner through his Power of Attorney Harnek Singh Mattu against the predecessor-in-interest of the applicants alongwith co-defendants (respondents herein). Said suit was dismissed as withdrawn on

(RAJAN GUPTA)
JUDGE

Yes / No