

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

CR No.7490 of 2016 (O&M)

Date of decision:9.11.2016

Satyajeet Chauhan

....Petitioner

VERSUS

Jagdish Chander and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. Sudhanshu Makkar, Advocate for the petitioner.

REKHA MITTAL, J.(Oral)

The present petition directs challenge against order dated 06.10.2016 (Annexure P-4) passed by the trial Court whereby application filed by the petitioner for setting aside ex parte proceedings has been dismissed.

A perusal of the impugned order and various documents appended with the petition would make it evident that initially a suit was filed by Jagdish Chander Goel and another against Parvat Singh, Vishvajeet, Ramesh Chand and Pushap Raj. Parvat Singh passed away during pendency of the suit and his legal representatives namely Smt. Nirmal Devi, widow, Vishvajeet, son (defendant No.2) and Ashu Chauhan stated to be wrongly mentioned as such being Satyajeet Chauhan were impleaded. Nirmal Devi and Vishvajeet, mother and brother of the present petitioner are already before the Court and they have been contesting the proceedings.

Counsel for the petitioner has submitted that the case is pending for evidence of the plaintiffs/respondents and the petitioner may be allowed to join proceedings at this stage with liberty to make a statement before the trial Court that he adopts the written statement filed by Smt. Nirmal Devi and Vishvajeet in their capacity as legal

representatives of Parvat Singh and he would not pray for de novo proceedings from the stage, he was proceeded against ex parte.

In view of the above, the petition stands disposed of. The petitioner is allowed to join the proceedings from the present stage except that he would be entitled to make a statement before the trial Court adopting the written statement filed by the other legal representatives of deceased Parvat Singh, on behalf of Parvat Singh (since deceased).

Disposed of accordingly.

NOVEMBER 9, 2016
'D. Gulati'

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No