

HON'BLE SRI JUSTICE S.V.BHATT

CIVIL REVISION PETITION No.1750 of 2017

ORDER:

The plaintiff in O.S.No.704 of 2008 is the revision petitioner. The petitioner challenges order in I.A.No.1178 of 2016 for setting aside ex-parte decree dated 27-07-2016.

I have perused the docket order. *Prima facie*, it appears to this Court that the trial court could have done better atleast a few of the allegations, as noted in the affidavit and counter affidavit, are referred while disposing of I.A.No.1178 of 2016. The apparent reasons seem to be that the ex-parte decree was passed on 27-07-2016 and affidavit was filed on 28-07-2016 for setting aside ex-parte decree dated 27-07-2016.

After perusing the material, this Court is in agreement with the outcome of I.A.No.1178 of 2016.

Accordingly, the revision ~~fails~~ and is accordingly dismissed.

The trial Court is directed to dispose of O.S.No.704 of 2008 within three months from the date of receipt of a copy of this order. There shall be no order as to costs.

As a sequel, the miscellaneous applications, if any pending, shall stand closed.

S. V. BHATT, J

Date: 07-04-2017

Prv

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