

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

CR No.6303 of 2017

Date of decision: 18.09.2017

Smt. Suman

...Petitioner

Versus

Smt. Sunita

...Respondent

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. S.K. Tripathi, Advocate,
for the petitioner.

Ritu Bahri, J.

Challenge in this petition is to the order dated 06.09.2017 (Annexure P-13) passed by the Civil Judge (Senior Division), Rewari, whereby application filed by defendant-respondent for setting aside the exparte order dated 06.04.2016 (Annexure P-9), has been allowed.

A perusal of the impugned order shows that the application for setting aside the exparte proceedings was filed on 30.05.2016 i.e. after a gap of almost one month and 24 days. After going through the impugned order, this Court is of the view that the trial Court has rightly allowed the application keeping in view the judgment passed by this Court in **Ghanshyam Dass Vs. Kamal Kishore and another**, 2011 (3) RCR (Civil) 846 (P&H), wherein it has been held that rules for setting aside the exparte proceedings and exparte decree are separate and the Court has to be satisfied that there was good cause for failure to appear before it. No rule

for setting aside the exparte proceedings.

No ground is made out to interfere in the impugned order.

Dismissed.

18.09.2017
ajp

(RITU BAHRI)
JUDGE

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