

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

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CR No.2145 of 2018(O & M)
Date of Decision:03.04.2018

Manoj Kumar Patti

...Petitioner

Versus

Ajay Malhotra

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Harpreet Singh Jakhal, Advocate
for the petitioner.

ANIL KSHETARPAL, J.(Oral)

Plaintiff-petitioner is in the revision petition against the order passed by the learned trial Court permitting the defendant to furnish address for service of notice on him. He also sought condonation of delay for filing such address.

Plaintiff filed a suit under Order 37 Rule 3(1) for recovery of the amount on 19.12.2017. Summons were issued on 20.12.2017. There was report of refusal to accept notice of the Court on 22.12.2017. Defendant was proceeded against ex parte on 05.01.2018. Defendant appeared on 08.01.2018 and filed an application under Order 37 Rule 3(7) of the Code of Civil Procedure for permission to appear and for condonation of delay in appearance.

The Court after considering the fact that there were winter vacations from 22.12.2017 to 01.01.2018, allowed the application. The said order is under challenge.

Learned counsel for the petitioner was repeatedly called upon to show whether summons for judgment in Form No.4-A Appendix B were ever served on the defendant. However, learned counsel pleaded his ignorance.

In view of the aforesaid, the learned trial Court has only permitted the defendant-respondent to file his address of service. Hence, no ground to interfere.

Revision petition is dismissed.

03.04.2018
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(ANIL KSHETARPAL)
JUDGE

Whether Speaking/Reasoned: Yes/No
Whether Reportable : Yes/No