

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

**CR No.3173 of 2018 (O&M)  
Date of decision : May 14, 2018**

**Pooja Goyal**

**..... Petitioner**

**Versus**

**Amritbir Singh Sodhi and others**

**..... Respondents**

**CORAM : HON'BLE MR. JUSTICE KULDIP SINGH**

**Present:-** Mr. Sanjeev Kumar Arora, Advocate for the petitioner.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

**KULDIP SINGH J. (ORAL)**

Impugned in the present revision petition is the order dated 08.03.2018 (Annexure P-2) passed by learned Addl. District Judge, Ferozepur, affirming the order dated 16.03.2017 (Annexure P-1) passed by learned Addl. Civil Judge (Sr. Divn.), Guruhar Sahai, vide which an application filed by the present petitioner Pooja Goyal under Order IX, Rule 13 CPC, 1908, was dismissed.

Heard.

It comes out that Amritbir Singh Sodhi, respondent No.1-plaintiff had filed a suit for recovery of ₹7,86,760/- against M/s Ram Narain Dina Nath, Commission Agents, through its Proprietor Shri Mohan Lal and also against Mohan Lal and his daughters-in-law, namely, Sheetal Goyal and Pooja Goyal. He had also challenged two sale deeds executed by Mohan Lal in favour of his two daughters-in-law. The suit was decreed on 07.07.2015. In the said suit, though, the firm and Mohan Lal had appeared but his daughters-in-law, namely, Sheetal Goyal and Pooja Goyal had not put in appearance. The said judgment and decree was affirmed in appeal.

It also comes out from the impugned order that one of the defendants, namely Sheetal Goyal approached this Court for setting aside the ex parte judgment and decree but her revision was dismissed.

Now, the second daughter-in-law of Mohan Lal has come to challenge the said ex parte judgment and decree.

It is contended by the learned counsel for the petitioner that the petitioner was residing at Delhi. However, it is not denied that in the sale deeds, the address given as well as in the suit of the petitioner is the same as of defendant Nos.2 and 3. Defendant Nos.2 to 4 belong to one family and it is unlikely that defendant No.2 Mohan Lal will not be sharing information with his sons and daughters-in-law. It appears that after the passing of the said ex parte judgment and decree, defendant Nos.3 and 4 are coming forward turn by turn to avoid the consequences of said ex parte judgment and decree. There are concurrent findings of facts recorded by two Courts below and there is no ground to interfere in the same.

As such, the present revision petition is dismissed.

**(KULDIP SINGH)**  
**JUDGE**

**May 14, 2018**

sarita

Whether speaking / reasoned                      Yes

Whether Reportable:                                      No