

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

**CR No.3457 of 2018 (O&M)
Date of decision : May 23, 2018**

Ld. Col. (Retd.) Shri Prakash and another Petitioners

Versus

Arun Kumar Arora Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Sanjay Verma, Advocate for the petitioners.

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)

CM-10625-CII-2018

Application is allowed as prayed for.

Main Case

Heard.

At the time of arguments, learned counsel for the petitioners restricts his prayer only the extent that the petitioners may be allowed to join the proceedings before the trial Court.

Learned counsel for the petitioners contends that the petitioners were proceeded against ex parte vide order dated 21.02.2017 (Annexure P-3). Their application for setting aside the ex parte order was dismissed by the trial Court vide impugned order dated 23.05.2017 (Annexure P-5). Thereafter, they moved an application before the the trial Court seeking permission to join the proceedings, which was also dismissed vide order dated 05.09.2017 (Annexure P-6).

It is also contended that the present petitioners have already filed written statement. The case is at initial stage. The short prayer made is only to allow to the petitioners to join the proceedings from the present stage.

In these circumstances, without issuing notice to the respondent, the impugned order dated 05.09.2017 (Annexure P-6) is set aside to the extent that the petitioners are allowed to join the proceedings from the present stage and to lead their evidence in support of written statement already filed, subject to payment of costs of ₹10,000/- to be deposited with the District Legal Services Committee, Gurugram.

As such, the present revision petition is disposed of.

(KULDIP SINGH)
JUDGE

May 23, 2018

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Whether speaking / reasoned Yes

Whether Reportable: No