

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

105

**CR No.5431 of 2015
Date of decision: 19.02.2018**

Jito

..... Petitioner

Versus

Harbans Singh etc.

..... Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- None.

ANIL KSHETARPAL, J. (ORAL)

Learned counsel for the petitioner has chosen to remain absent, although, the case called twice. Hence, this Court is left with no choice but to read and decide the case.

Defendant-petitioner is in the revision petition against the order dismissing the application under Order 9 Rule 13, CPC for setting aside the ex parte judgment and decree passed on 12.04.1994. The application was filed on 14.11.1996. Both the Courts after giving the opportunity to the defendant-petitioner to lead evidence, dismissed the application. The Courts have noticed that the defendant-petitioner had initially compromised and had also withdrawn her earlier application under Order 9 Rule 13, CPC. The Courts have also noticed that the petitioner-judgment debtor was present as per the order dated 25.09.1996 in execution petition and had suffered a statement.

In view thereof, there is no ground to interfere with the orders passed by the Courts below.

Revision petition is dismissed.

19.02.2018
Dinesh Bansal

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No