

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

CR No. 6548 of 2018
Date of Decision: 04.10.2018

Jatinder Kumar

.....Petitioner

Versus

Om Parkash (Bhola)

.....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Petitioner Jatinder Kumar in person.

DEEPAK SIBAL, J. (ORAL)

The present petition is filed under Article 227 of the Constitution of India, praying for issuance of directions to the Additional Civil Judge (Senior Division), Rampura Phul (for short, the Trial Court) to decide within two weeks the petitioner's application filed by him under Order 9 Rule 13 CPC to set-aside the ex-parte decree dated 28.05.2018.

A perusal of the interim orders passed by the Trial Court reveal that on 21.06.2018 the petitioner had filed his application under Order 9 Rule 13 CPC in which notice was issued to the respondent for 02.07.2018. Thereafter, on two dates, the respondent did not file his reply and on the third date i.e. 17.09.2018 on filing of the reply by the respondent the matter was adjourned to 03.11.2018 for the petitioner to file his rejoinder, if any.

No laxity is found in the procedure being followed by the Trial Court. Thus, there is no occasion to issue any direction to the Trial Court to decide the petitioner's aforesaid application within two weeks. However,

since the petitioner is a senior citizen aged 71 years and is handicapped, the Trial Court is requested to expedite the decision on the petitioner's aforesaid application.

The petition is disposed of in the above terms.

(DEEPAK SIBAL)
JUDGE

04.10.2018
sandeep

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