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

CR No. 7417 of 2016

Date of Decision: 03.08.2018

Tarsem Masih

.....Petitioner

Versus

Balwinder Singh

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Dheeraj Mahajan, Advocate,
for the petitioner.

Mr. Vipin Mahajan, Advocate,
for the respondent.

RAJ MOHAN SINGH, J. (Oral)

1. This revision petition was filed against the order dated 18.10.2016 passed by Additional Civil Judge (Senior Division), Gurdaspur vide which defendant-petitioner was directed to furnish bank guarantee to the tune of Rs.3 lacs in the application filed by the defendant-petitioner for stay of execution of proceedings arising out of Order 9 Rule 13 CPC.

2. Vide interim order dated 07.11.2016, the High Court while issuing notice of motion diluted the condition of furnishing bank guarantee and recorded that the petitioner was ready to furnish the surety only.

3. Learned counsel for the respondent submits that the application under Order 9 Rule 13 CPC has already been allowed by the trial Court thereby setting aside exparte decree dated 23.02.2016 against which Civil Revision No.1765 of 2018 has been filed.

4. In view of above, this revision petition has become infructuous.

5. Ordered accordingly.

03.08.2018

Jyoti Yadav

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No