

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Civil Revision No.7502 of 2017 (O&M)
Date of Order: 01.02.2018

Anil Kumar and others

..Petitioners

Versus

Kishan Lal and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Dr. Anmol R. Sidhu, Sr. Advocate, with
Mr. Mahir Sood, Advocate, and
Mr. Arun William, Advocate,
for the petitioners.

ANIL KSHETARPAL, J(Oral)

Petitioners are in revision petition against the order dismissing the application under Order 9 Rule 13 of the Code of Civil Procedure, for setting aside the ex-party preliminary decree, confirmed in appeal by the learned first appellate Court vide order dated 14.07.2017.

It is not disputed that the petitioners were served and they had engaged a counsel. It has been submitted that the counsel did not inform the petitioners and, therefore, petitioners could not assist the Court.

This Court has specifically asked learned counsel for the petitioners whether the status of the plaintiff as a co-sharer is being disputed, the answer to this question is no.

In these circumstances, only a preliminary decree has been passed, petitioners would be entitled to appear and contest the application for final decree as and when filed.

With these observations, the revision petition is disposed of accordingly.

February, 01, 2018

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Whether speaking/reasoned

Whether reportable

: Yes/No

: Yes/No

(ANIL KSHETARPAL)
JUDGE