

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

1. SAO No. 11 of 2015 (O&M)

Badlu

...Appellant

Versus

Jai Lal & others

...Respondents

2. SAO No. 12 of 2015 (O&M)

Badlu

...Appellant

Versus

Jai Lal & others

...Respondents

Date of decision: 25.05.2018

CORAM:- HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Naveen S. Bhardwaj, Advocate
for the appellant(s).

Mr. Rajesh K. Sheoran, Advocate
for the respondents.

KULDIP SINGH, J. (Oral)

This common order shall dispose of above noted two appeals as they are arising out of the same judgment. However, for convenience, facts are taken from SAO No. 11 of 2015.

Impugned in the present appeals is the judgment dated 13.11.2014, passed by learned Additional District Judge, Bhiwani, vide which, two consolidated suits were remanded to the trial Court after framing

issues and with a direction that defendant No. 7, who was minor at that time, be issued notice while observing that defendant No. 7 was proceeded against *ex-parte* without appointing the Court Guardian, vide order dated 15.01.2010.

I have heard learned counsel for the parties and have carefully gone through the issues framed by the trial Court.

There were cross suits in which cross claims were made. The appellate Court has come to the conclusion that in the consolidated suits, the proper issues were not framed, therefore, appellate Court framed the proper issues, vide impugned judgment and parties were allowed to lead evidence by giving them three effective opportunities each and notice to defendant No. 7 was also ordered to be issued considering that she was minor and was wrongly proceeded against *ex-parte*.

I am of the view of that there is no infirmity in the impugned judgment.

Both the appeals are dismissed.

Since the main appeal is dismissed, therefore, pending civil miscellaneous application, if any, shall also stand disposed of.

25.05.2018

Waseem Ansari

(KULDIP SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No