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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

RSA-6183-2017 (O&M)

Date of decision : 13.12.2018

Gurcharan Kaur and others

... Appellants

Versus

Kuldeep Singh

... Respondent

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. Gurcharan Dass, Advocate for the appellants.

AMIT RAWAL, J.

The short point involved in the present regular second appeal is whether the appeal preferred against the *ex parte* judgment and decree dated 28.07.2015 could be assailed by the defendants by availing two opportunities, under the provisions of Order 9 Rule 13 of CPC as well as separate appeal.

It is a matter of record that in the proceedings initiated separately under Order 9 Rule 13 of CPC, the appellants/defendants have already lost upto Hon'ble the Supreme Court. In such circumstances, it would have been a farcical exercise, much less, the appeal was not maintainable.

No ground is made out for interference in the concurrent findings of fact, much less, no substantial question of law arises for determination.

The present regular second appeal is dismissed.

13.12.2018

Yogesh Sharma

**(AMIT RAWAL)
JUDGE**

Whether speaking/reasoned **Yes/ No**

Whether Reportable **Yes/ No**