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

**Civil Revision No.228 of 2019
Date of Decision: 23.05.2019**

Balwinder Kaur

.....Petitioner

Vs

Kuldeep Singh

....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present:Mr. Chander Shekhar, Advocate for
Mr. D.R. Punia, Advocate
for the petitioner.

RAJ MOHAN SINGH, J. (Oral)

[1]. Notice of motion was issued on 16.01.2019 with a view to enable the petitioner to obtain necessary order in the proceedings under Order 9 Rule 7/13 CPC. Petitioner was proceeded against ex parte and thereafter ex parte judgment and decree dated 16.07.2016 was passed in G.A. No.15 dated 31.01.2015. Execution petition is pending before the executing Court. The application under Order 9 Rule 7/13 read with Section 151 CPC is also pending for setting aside the ex parte judgment and decree.

[2]. The order dated 16.01.2019 was passed by this Court keeping in view the scope of Order 21 Rule 26 CPC and the

execution of ex parte judgment and decree was stayed for a specific period i.e. for one month. Petitioner was given liberty to obtain any appropriate relief in the pending application under Order 9 Rule 7/13 CPC in accordance with law.

[3]. In view of nature of order which was passed on 16.01.2019, nothing is left to be debated further. If the petitioner has obtained necessary order in the proceedings under Order 9 Rule 7/13 CPC, then he may feel contented with the said relief. If the petitioner has failed to obtain any such order so far, the rigor of order dated 16.01.2019 would not come to the aid of petitioner any more.

[4]. In view of aforesaid observation, this revision petition is disposed of.

May 23, 2019

Atik

Whether speaking/reasoned

Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No

Yes/No