

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH
Sr. No.: 113

Civil Revision No.3215 of 2019 (O & M)
Date of Decision: May 15, 2019

M/s Tripurari Garments Pvt. Ltd. & others

..... PETITIONERS

VERSUS

Rajinder Singh

..... RESPONDENT(S)

. . .

CORAM: **HON'BLE MR. JUSTICE KULDIP SINGH**

. . .

PRESENT: - Mr. Vikas Bali, Advocate, for the petitioners.

. . .

Kuldip Singh, J (Oral)

The short grouse of the petitioner is that suit for recovery was filed in which an application for condonation of delay was filed. The learned Civil Judge (Senior Division), Ludhiana, without issuing notice on the said application to the present petitioners – defendants and without hearing them, allowed the same at the very threshold..

I am of the view that impugned order suffers from illegality and infirmities as defendants has a vested right to contest the said application. Such application should have been decided after hearing the present petitioners. As such, the impugned order is set aside. The trial court is directed to call for reply of the present petitioners - defendants, give them opportunity of hearing and then pass a fresh speaking order on merits.

In the meanwhile, filing of written statement shall be deferred.

Disposed of.

May 15, 2019
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(Kuldip Singh)
Judge

Whether Speaking/ Reasoned:
Whether Reportable:

Yes/ No
Yes/ No