

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

**CR-4143-2017(O&M)
Date of decision: 04.03.2020**

Municipal Corporation

.....Petitioner

Versus

Sanjay Wadhwa and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr.Vishal Garg, Advocate for the petitioner

Mr. C.S.Singhal, Advocate for
Mr. Ankit Singla, Advocate for the respondents

ANIL KSHETARPAL, J. (ORAL)

Learned counsel for the petitioner submits that the present petition has been rendered infructuous as the main suit has been decided.

In the present petition, petitioner had assailed correctness of order dated 30.1.2017 passed by learned Civil Judge, Junior Division, Faridabad whereby defence of the petitioner-defendant was struck off. Since the suit has been decided, therefore, the defendant shall be at liberty to challenge the correctness of the order impugned herein while filing appeal against the main judgment, in view of the provisions of Order 43 Rule 1-A CPC inserted by Act no. 104 of 1976.

Disposed of.

04.03.2020

rekha

Whether speaking/reasoned

Whether Reportable

(ANIL KSHETARPAL)

JUDGE

Yes / No

Yes / No