

CR-3319-2021

Date of decision: 15.12.2021

PARAMJIT SINGH

....Petitioner

Versus

CHAMKAUR SINGH

.....Respondent

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present : Mr. Buta Singh Bairagi, Advocate for the petitioner.

VINOD S. BHARDWAJ. J. (ORAL)

This case has been taken up through Video Conferencing via Webex facility in the light of Panademic Covid-19 situation and as per instructions.

The instant revision petition has been filed raising a challenge to the order dated 11.11.2021 whereby an application under Order 9 Rule 13 CPC for setting aside the ex-parte judgment and decree dated 01.12.2016 passed by the Court of learned Civil Judge (Senior Division), Moga in Civil Suit No. 52 of 2016 has been dismissed by the learned Civil Judge (Junior Division), Moga.

Learned Counsel for the petitioner was confronted as to how the petition under Article 227 would be maintainable in view of specific provision contained under Order 43 Rule 1 providing for a remedy of appeal in the event of rejection of an application under Order 9 Rule 13.

Faced with above, learned Counsel for the petitioner prays for permission to withdraw the instant petition in order to avail the

alternative remedies available to him, if so advised.

Dismissed as withdrawn with liberty as aforesaid.

15.12.2021
Vishal sharma

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No