

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

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**CR No.217 of 2018 (O&M)
Date of decision: 24.08.2022**

Hardev Singh

..Petitioner

Versus

Kuldip Singh

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Malhar Singh Dhami, Advocate
for the petitioner.

ANIL KSHETARPAL, J(Oral)

The application filed by the petitioner for setting aside the ex-parte decree dated 27.02.2009 has been dismissed by both the Courts below. The petitioner while filing the application asserted that he was never served with the notice of the suit.

However, both the Courts have found that the notice of the suit was served on the petitioner and he received the same by putting his thumb impression. RW2-Sh. Pritpal Singh, the process server deposed that summons were duly received by the petitioner. The petitioner failed to lead any evidence to prove that he never thumb marked the same.

Hence, no ground to interfere is made out.

Dismissed.

All the pending miscellaneous applications, if any, are also disposed of.

August 24, 2022

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**(ANIL KSHETARPAL)
JUDGE**

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