

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

Sr. No.202

CR-3379-2018

Date of Decision: 02.03.2023

JAGRAJ SINGH AND ANOTHER

...Petitioners

Versus

DARSHAN SINGH

..... Respondent

CORAM: HON'BLE MRS JUSTICE ARCHANA PURI

Present:- Mr. M.K. Dhot, Advocate,
for the petitioners.

Mr. N.K. Manchanda, Advocate,
for the respondent.

ARCHANA PURI, J. (ORAL)

Challenge in the present revision petition is to the orders dated 06.11.2017 (Annexure P-1), 18.11.2017 (Annexure P-2) and 06.03.2018 (Annexure P-3), whereby applications filed by both the petitioners for setting aside the *ex parte* order, have been dismissed.

It is submitted by learned counsel for the petitioners that the petitioners could not make appearance before learned Court below on the date fixed, as they could not contact their counsel at the rightful time. Further, it is submitted that in the interest of justice, only one opportunity may be given to the petitioners to join the proceedings and file written statement, on that very day.

Learned counsel for the respondent, who is present in the Court today, has very fairly conceded that after the petitioners/defendants were proceeded against *ex parte*, no further proceedings have been conducted in the present case.

Considering the stage of the case, more particularly the time, which has passed by, in the interest of justice, the present revision petition is allowed and *ex parte* orders passed against the petitioners, are set aside and petitioners are allowed to join the proceedings.

Also learned counsel for the petitioners has given an undertaking that they shall be filing the written statement on the date, when they are allowed to join the proceedings.

In the given circumstances, the petitioners shall make appearance before the Court concerned, on the date fixed i.e. 10.03.2023.

However, the aforesaid order has been passed, subject to deposit of an amount of Rs.10,000/- as costs, within a period of 07 days from today onwards, before concerned District Legal Services Authority.

Accordingly, the present petition stands disposed of.

02.03.2023

Himanshu

**(ARCHANA PURI)
JUDGE**

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