

CR-1699-2022

on 14.09.2020, he was taken into custody by the Police in connection with FIR No. 19 of 2018 and 34 of 2019 registered at Police Station, Azad Nagar, Hisar. It is also alleged that his daughter, who is a practicing Advocate has informed him about the pendency of the case, while searching through the cases.

2. Learned trial court allowed the application without recording any reason whatsoever. The court has not even recorded whether the defendant has furnished sufficient explanation for his non-appearance for nearly 02 years and 07 months.

3. While deciding the application for setting aside the ex-parte order, the Court is expected to record reasons in brief for setting aside ex-parte proceedings. However, in this case, no reason whatsoever has been recorded.

4. Keeping in view the aforesaid facts, the order dated 20.04.2022 is set aside. The trial court is directed to pass a fresh order on the application filed by the defendant to set aside the ex-parte order.

5. With these observations, the revision petition is disposed of.

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

(ANIL KSHETARPAL)
JUDGE

03.11.2023

Ajay Goswami

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No