

Parminder Singh

...Petitioner

versus

Juki India Private Ltd

....Respondent

Coram : Hon'ble Mr. Justice B.S. Walia

Present : Mr. Puneet Singla, Advocate for the petitioner.

B.S. Walia, J. (Oral)

1. Prayer in the petition is for setting aside order Annexure P/4 dated 27.03.2023, passed by the learned Civil Judge (Junior Division), Ludhiana, dismissing the application for setting aside order Annexure P/1 dated 26.03.2019, vide which the petitioner was proceeded ex parte.

2. Learned counsel on query with regard to the medical record, if any available, in the light of observation of the learned Civil Judge (Junior Division), Ludhiana, that the petitioner during the same period had been appearing before the Criminal Court and had not produced any medical record in support of his being ill, frankly concedes that there is no medical record available with the petitioner and that in the circumstances, he does not press the instant petition but prays for grant of liberty to take out appropriate proceedings before the learned trial Court in the ex parte plaintiff's evidence, which is going on, by moving an application under Order 9 Rule 7 CPC.

3. In view of the position noted above as well as statement of learned counsel for the petitioner, the instant petition is dismissed as withdrawn, with the liberty as prayed for.

(B.S. Walia)
Judge

29.04.2023

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