

CM-3564-CII-2023 in/and
CR No.5137 of 2022
Date of Decision: 27.02.2023

HANIFAN (SINCE DECEASED) THROUGH HER LEGAL HEIR
.....Petitioner
Versus
MAHAMMAD SALIM AND OTHERS
.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Abhishek Singla, Advocate,
for applicant/respondent No.1.

RAJBIR SEHRAWAT, J. (ORAL)

CM-3564-CII-2023

This is an application for preponing the date of hearing in the
main case.

Notice in the application.

Mr. Sunny Kumar Singla, Advocate, accepts notice on behalf of
the non-applicant/petitioner and submits that he has no objection, if the
present application is allowed.

For the reasons mentioned in the application and in view of the
no objection given by the counsel opposite, the application is allowed. The
main case is preponed and taken up for hearing today itself.

Main Case

This is a petition filed under Article 227 of the Constitution of
India praying for setting aside the impugned order dated 03.10.2022 passed
by the Civil Judge (Jr. Divn.) Malerkotla.

It is submitted by the counsel for the petitioner that the application moved by the petitioner for impleading the legal representatives of defendant No.1 has wrongly been rejected by the Court below.

On the other hand, the counsel for respondent No.1-plaintiff has submitted that he has no objection, if the present petition is allowed and by setting aside the impugned order passed by the Court below; the petitioner is permitted to bring on record the legal representatives of defendant No.1.

In view of the above, the present petition is allowed. The impugned order dated 03.10.2022 is set aside. The application (Annexure P-2) is ordered to be allowed.

(RAJBIR SEHRAWAT)
JUDGE

27.02.2023
sandeep

Whether Speaking/Reasoned	:	Yes/No
Whether Reportable	:	Yes/No