

2023:PHHC:116974

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

130

**CR-7284-2019 (O&M)
Date of Order:05.09.2023**

SIMRAN SINGH

.Petitioners

Versus

M/S HANS RAJ HITESH KUMAR

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Lupil Gupta, Advocate
for the petitioner.

Mr. P.S.Jammu, Advocate and
Mr. Rajinder Partap Singh Jammu, Advocate
for the respondent.

ANIL KSHETARPAL, J

1. The petitioner's application for permission to grant leave to defend the suit filed under Order XXXVII CPC has been allowed subject to his furnishing a surety/security for the sum of Rs.3,00,000/-. The correctness of the aforesaid order has been challenged by filing this revision petition.
2. The learned counsel representing the petitioner contends that once the court found that there is triable issue then no surety/security can be ordered.
3. This court has considered the submission.
4. While granting leave to defend, the Court is entitled to impose conditions to secure the payment of the amount if the suit is to be decreed.
5. Keeping in view the aforesaid facts and discussion, no ground to interfere is made out.

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

September 05, 2023
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned
Whether reportable

:YES/NO
:YES/NO