

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

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CR No.41 of 2024 (O&M)

Date of Decision: January 08, 2024

Sukhdev**.....Petitioner(s)****Vs.****Virender Singh Bhati****.....Respondent(s)****CORAM: HON'BLE MS. JUSTICE SUDEEPTI SHARMA**

Present: Ms. Tejaswini, Advocate
for the petitioner

SUDEEPTI SHARMA J. (ORAL)

The present Revision Petition has been filed by the petitioner for setting-aside impugned order dated 20.11.2023 (Annexure P-7) passed by the learned Additional Civil Judge (Sr. Division), Faridabad.

2. Learned counsel for the petitioner contends that impugned order dated 20.11.2023 (Annexure P-7) was passed *ex parte* during the first half of the day and on the second half of the day on the same date, *Vakalatnama* of the petitioner was taken on record without giving him an opportunity of being heard.

3. After hearing learned counsel for the petitioner and perusing the record of the case, I find that on the same date without even hearing counsel for the petitioner, the impugned order dated 20.11.2023 (Annexure P-7) was passed. As such, the same is not sustainable in the eyes of law. The impugned order dated 20.11.2023 (Annexure P-7) is hereby set aside.

Learned Additional Civil Judge (Sr. Division), Faridabad is directed to

follow the principles of natural justice and to give opportunity of being heard to the petitioner and thereafter, after hearing both the parties, pass a fresh order in accordance with law.

4. In view of the above, the present petition is disposed of. All pending applications, if any, stand disposed of.

(SUDEEPTI SHARMA)
JUDGE

January 08, 2024
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Whether speaking/reasoned:	Yes/No
Whether reportable:	No