



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

CR-2312-2023

Date of decision : 03.03.2025

Parvinder Singh @ Parminder Singh

...Petitioner

Vs.

**Harkishan Singh (Deceased) through his
legal representatives and others**

...Respondents

CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Satyam Arora, Advocate for
Mr. Vikas Kumar, Advocate
for the petitioner.

Mr. Ankur Malik, Advocate
Mr. Amanveer Singh, Advocate
for respondents No.1(i), (ii), (iii) and
respondents No. 3 and 4.

ANIL KSHETARPAL, J. (Oral)

1. An application filed by defendant No. 6 to set aside *ex parte* proceedings has been dismissed by the trial Court on the ground that it was filed after a period of 09 months from the date he was proceeded against *ex parte* and he has failed to furnish any justification for the same.

2. It has been noticed that the petitioner is defendant No.6 in the Civil Suit. Mr. Gurdeep Singh, Advocate appeared on behalf of defendants No. 2, 3 and 6 on 02.07.2018 and sought time for filing the written statement. After availing four opportunities including one special last opportunity subject to payment of cost of Rs. 200/-, no written statement was filed. Hence, he was proceeded against *ex parte* as the counsel pleaded no instructions. It is also



evident that the dispute is with regard to succession of the property left behind by Sh. Gurdial Singh @ Dial Singh. The petitioner's father is defendant No.1 in the suit and he is represented by the counsel. He is already contesting the suit.

3. Learned counsel representing the petitioner submits that the moment the counsel made statement that he had no instructions, the Court was required to issue a notice.

4. This Court has considered the submissions, however in the facts of the present case, it is evident that the petitioner's father is already defending the suit. The petitioner engaged a separate counsel who after availing four opportunities to file written statement gave the statement. The petitioner cannot claim that he has no knowledge because his father is already contesting the case.

5. Keeping in view the aforesaid facts, no ground to interfere is made out.

6. Hence, the revision petition is dismissed.

03.03.2025
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No