



120

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

Date of decision : 19.11.2025

1. CR-1314-2021

2. CR-1392-2021

Karnail Singh and another

....Petitioners

Versus

Surinder Singh through LR's and others

...Respondents

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. Deepak Verma, Advocate
for the petitioners.

Mr. Parvinder Singh, Advocate
for respondent No.1.

Service of respondent No.2 already dispensed with
vide order dated 28.09.2021.

None for respondent No.3.

PANKAJ JAIN, J. (ORAL)

The present revision petitions are directed against similar orders whereby application filed by respondent No.1 for setting aside *ex parte* order and the proceedings subsequent thereto, have been allowed

2. Since both the revisions involve same set of facts, both are being decided by a common order.



3. For convenience, the facts are being culled out from CR No.1314 of 2021.

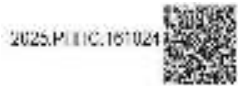
4. Plaintiff/petitioner filed suit for partition against father of respondent No.1.

5. Predecessor-in-interest/father of respondent No.1 was proceeded against *ex parte* vide order dated 28.07.2017. Initially, an application was moved for setting aside *ex parte* proceedings but the same was dismissed as the applicant died a week prior to the date when the application was moved. Thereafter, present application was moved for impleading LRs of deceased/defendant Surinder Singh along with a prayer for setting aside *ex parte* order dated 28.07.2017. The said application has been allowed subject to payment of cost of Rs.5,000/-.

6. Counsel for the parties are *ad idem* that the suit was still pending when the application was moved. The plaintiff had concluded his evidence.

7. Keeping in view the nature of the suit, this Court finds that the Trial Court rightly allowed the application filed by respondent setting aside of the *ex parte* order as well as *ex parte* proceedings, though plaintiff was not compensated adequately.

8. In view thereof, the cost of Rs.5,000/- imposed by the Trial Court is enhanced to Rs.25,000/- (in each case). Out of which, Rs.15,000/- shall be paid to the plaintiff and Rs.10,000/- shall be payable to DLSA, Hoshiarpur.



9. With the aforesaid modification in the impugned order, instant revision petitions are disposed off.
10. A copy of this order be kept on the file of other connected case.

November 19, 2025			(Pankaj Jain)
Dpr			Judge
	Whether speaking/reasoned	:	Yes/No
	Whether reportable	:	Yes/No