



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(117)

CR No. 7947 of 2025 (O&M)

Date of Decision : 18.11.2025

Abdul Sakoor @ Muhamad Sakoor

...Petitioner

Versus

Surjit Singh and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMARINDER SINGH GREWAL

Present: Mr. Navdeep Jain, Advocate for the petitioner.

Amarinder Singh Grewal, J. (Oral)

1. The present Civil Revision Petition has been filed under Article 227 of the Constitution of India for setting aside the order dated 18.08.2025 (Annexure P-6) passed by the learned Civil Judge (Junior Division), Malerkotla, whereby the application filed by the petitioner under Order IX Rule 7 CPC for setting aside the ex parte order dated 06.07.2018 was dismissed.

2. As per the record, respondent No. 1 – Surjit Singh filed a suit for declaration to the effect that he is owner in possession to the extent of 1/12th share in the suit land measuring 9 Bighas 7 Biswas, shown in possession of Chand Singh son of Pakhar Singh, as indicated in the plaint. The present petitioner was arrayed as defendant No. 41 in the said suit.

3. In the impugned order dated 18.08.2025 (Annexure P-6), the learned Civil Judge (Junior Division), Malerkotla observed that the applicant/defendant had been watching the proceedings from outside the



Court, as allegedly adopted by certain other defendants. The record further reveals that earlier defendants No. 12, 44 and 49 had moved application under Order IX Rule 7 CPC for setting aside the ex parte order and their application was allowed.

4. Learned counsel for the petitioner contends that in the present case, Munadi was directly issued regarding the petitioner without issuance of summons to him. It is submitted that the petitioner was never duly served, and therefore, one effective opportunity may be granted to him to file the written statement.

5. I have heard learned counsel for the petitioner and perused the paper book.

6. In view of the nature of the order proposed to be passed, issuance of notice to the respondent is dispensed with, as it would only delay the proceedings and cause unnecessary expenditure to the respondent.

7. Having heard learned counsel for the petitioner and considering the facts noticed here-in-above, this Court is of the view that one opportunity deserves to be granted to the petitioner to file his written statement.

8. Consequently, the present revision petition is allowed. The impugned order dated 18.08.2025 (Annexure P-6) passed by the learned Civil Judge (Junior Division), Malerkotla is hereby set aside, subject to the petitioner depositing costs of ₹5,000/- with the concerned District Legal Services Authority within ten days.

9. The petitioner/defendant shall appear before the learned trial Court on the date already fixed. Upon production of the receipt showing



deposit of costs, the trial Court shall grant one effective opportunity to the petitioner/defendant to file his written statement.

10. The Registry is directed to forward a copy of this order to the learned Civil Judge (Junior Division), Malerkotla for compliance.

11. All pending application(s), if any, stand disposed of accordingly.

(AMARINDER SINGH GREWAL)
JUDGE

November 18, 2025

kanchan

Whether speaking/reasoned : Yes

Whether reportable : No