



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

Sr. No.137

CR-4158-2016 (O&M)

Date of Decision: 02.04.2026

JATINDER KUMAR

....Petitioner

Versus

OM PARKASH @ BHOLA & ORS

.....Respondents

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Prateek Mahajan, Legal Aid Counsel
for the petitioner.

Mr. J.K.Singla, Advocate
for the respondents.

ARCHANA PURI, J. (Oral)

Mr. Prateek Mahajan, Advocate, has made appearance today and supplied the copy of letter dated 09.02.2026, whereby he has been appointed as Legal Aid Counsel.

Counsel for the petitioner has brought to the notice of the court that he was appointed as Legal Aid Counsel, in view of the observations made in the order dated 20.01.2023, whereby also, it was brought to the



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notice of the court by the counsel for the respondents that the civil suit, has already been decided by the court.

Perusal of the revision petition reveals that the order under challenge in the present case is dated 30.05.2016, passed by learned Trial Court, in the petition for preliminary decree, *vis-a-vis*, the payment of court fee. However, the petitioner, who was defendant No.1, before the court below, had not made appearance and in this context, the Legal Aid Counsel, was appointed.

Now, counsel for the respondent has brought to the notice of the court that during the conducting of proceedings of the preliminary decree, the defendant No.1 i.e. the petitioner-Jatinder Kumar, was proceeded against *ex parte* and the preliminary decree was passed. Thereafter, an application was filed for passing of the final decree, and the same was also decided by learned Trial Court, vide judgment dated 17.12.2025. Thereafter, even the execution petition was filed and partition had taken place and the possession of the land, as such, had been taken by the respondents, before learned Executing Court and the execution has been satisfied.

However, learned Legal Aid Counsel submits that the petitioner, Jatinder Kumar, had filed the revision petition i.e. CR-5347-2023, which is pending before this court, which relates to the setting aside of the *ex parte* proceedings, conducted against him by learned Trial Court, at the initial stage of the petition, filed for passing of the preliminary decree.

In view of the proceedings having culminated before learned Trial Court, at this stage, legal aid counsel for the petitioner submits that he does not want to pursue with the present revision petition and the same be



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dismissed as withdrawn, with liberty to restore the same, in the eventuality of any order favouring him, being passed by Coordinate Bench, in CR-5347-2023, and the *ex parte* proceedings qua him, are set aside.

Ordered accordingly.

Pending applications also stand disposed of.

02.04.2026
Sonu Saini

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned	:	Yes
Whether reportable	:	Yes/No