



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

**CR No. 3663 of 2026 (O&M)
DATE OF DECISION: 30.04.2026**

M/S RAMSONS UDYOG AND OTHERS

.....PETITIONERS

Vs.

M/S SOOD SAW INDUSTRY AND ANOTHER

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AMARINDER SINGH GREWAL

Present: Mr. Vikas Bali, Advocate,
for the petitioners.

AMARINDER SINGH GREWAL, J.(ORAL)

CM No. 8960-CII-2026

(i) Application for exemption is allowed, as prayed for.

CR No. 3663 of 2026 (O&M)

1. Prayer in the present Civil Revision Petition filed under Article 227 of the Constitution of India is for setting aside the impugned order dated 20.04.2026 (Annexure P-9), passed by the learned Additional Civil Judge (Senior Division), Hoshiarpur, in Civil Suit No. CS-414-2020, instituted on 20.06.2020, titled as '*M/s Sood Saw Industry vs. M/s Ramson Udyog and others*' (Annexure P-1), whereby the learned trial Court has dismissed the application, dated 09.04.2026 (Annexure P-8) filed by the petitioners/defendants for setting aside the order dated 27.03.2026 (Annexure P-7), whereby the petitioners/defendants were proceeded against *ex parte*, and the case has now been adjourned to 30.04.2026, i.e.



for today.

2. Brief facts of the case are that the respondents/plaintiffs had filed a suit for recovery of ₹53,73,820/-, along with interest, against the present petitioners (Annexure P-1), who appeared before the learned trial Court and filed their written statement (Annexure P-2). However, the interim order dated 21.08.2025, passed by the learned Additional Civil Judge (Senior Division), Hoshiarpur, shows that none had appeared on behalf of the parties; as such, the case was adjourned to 22.08.2025. Further, the interim order dated 22.08.2025 shows that none appeared on behalf of the present petitioners; as such, they were proceeded against *ex parte* and thereafter, the case was fixed for *ex parte* evidence of the respondents/plaintiffs.

2.1 Thereafter, the present petitioners moved an application for setting aside the *ex parte* proceedings dated 22.08.2025. Notice of the said application was given to the respondents/plaintiffs, who contested the same by filing their reply. The learned Additional Civil Judge (Senior Division), Hoshiarpur, after hearing learned counsel for the parties, allowed the said application for setting aside the proceedings dated 22.08.2025, but subject to costs of ₹3,000/- imposed upon the petitioners/defendants, to be paid to the District Legal Services Authority, Hoshiarpur, vide order dated 23.03.2026 [Annexure P-5 (colly.)]. Further, as per the receipt dated 27.03.2026 (Annexure P-6), the petitioners have deposited the costs so imposed by the learned trial Court with the District Legal Services Authority, Hoshiarpur.



2.2 Further, the interim order dated 27.03.2026 (Annexure P-7) shows that none had appeared on behalf of the present petitioners; as such, again the petitioners were proceeded against *ex parte*. Thereafter, the present petitioners again moved an application, dated 09.04.2026 (Annexure P-8) for setting aside the *ex parte* order dated 27.03.2026 (Annexure P-7). Notice of the said application was given to the respondents/plaintiffs, who contested the same. The learned Additional Civil Judge (Senior Division), Hoshiarpur, thereafter dismissed the application, vide order dated 20.04.2026 (Annexure P-9).

3. Learned counsel for the petitioners has contended that since the valuable rights of the petitioners are involved in getting the suit decided, and even the petitioners have deposited the costs of ₹3,000/- with the District Legal Services Authority, Hoshiarpur, it shows that the petitioners are very much interested in pursuing the matter; however, the learned trial Court dismissed the application by holding that it appears that the petitioners are delaying the process of the Court in one way or the other.

3.1 It is further contended by learned counsel for the petitioners that in case the proceedings are not set aside, serious prejudice may be caused to the petitioners.

4. Since the prayer made by learned counsel for the petitioners is an innocuous one, this Court is of the view that issuance of notice to the respondents would unnecessarily delay the proceedings; as such, issuance of notice to the respondents is dispensed with.



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

6. Keeping in view the above facts and circumstances of the present case, and after hearing learned counsel for the petitioners, this Court is of the considered opinion that since earlier the proceedings were set aside by the learned trial Court vide order dated 23.03.2026 [Annexure P-5 (colly.)], and further that the valuable rights of the petitioners are involved in getting the suit decided, the present petition is allowed and the impugned order dated 20.04.2026 (Annexure P-9), passed by the learned Additional Civil Judge (Senior Division), Hoshiarpur, is hereby set aside; however, subject to costs of ₹10,000/- to be deposited by the petitioners with the District Legal Services Authority, Hoshiarpur and then the learned trial Court is directed to proceed with the case, in accordance with law.

7. A copy of the receipt of the costs so deposited by the petitioners be produced before the learned Additional Civil Judge (Senior Division), Hoshiarpur.

8. Since the date before the learned trial Court is fixed for today itself, a copy of this order be given to learned counsel for the petitioners under the signatures of the Bench Secretary of this Court.

9. Pending miscellaneous application(s), if any, shall also stand disposed of.

APRIL 30, 2026

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Whether Speaking

Whether Reportable

(AMARINDER SINGH GREWAL)

JUDGE

Yes

No