



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

156

CR-4276-2026

Date of decision: 01.07.2026

M/s Achievers Builders Pvt. Ltd. and another

. . . . Petitioners

Vs.

Rajinder Saini

. . . . Respondent

CORAM: HON'BLE MR JUSTICE DEEPAK GUPTA

Present: - Mr.Amit Parashar, Advocate, for the petitioners.

DEEPAK GUPTA, J. (ORAL)

Petitioners herein are defendants No.1 & 2 in Civil Suit bearing CS-1970-2019 titled *Rajinder Saini Vs. Achiever Builders Pvt. Ltd.*, pending before learned Civil Judge (Junior Division), Faridabad. They are aggrieved by the order dated 05.05.2026 (Annexure P11), whereby their application for setting aside the *ex parte* order dated 09.04.2026 was dismissed.

2. Learned counsel submits that though the petitioners were earlier proceeded *ex parte* on 09.10.2019, but the *ex parte* proceedings were set aside by the Court on 10.07.2023. Petitioners then participated in further proceedings but failed to appear on 09.04.2026 and were proceeded *ex parte*. The application for setting aside the *ex parte* order was moved well within time on 02.05.2026, but still the Court has declined to set aside the *ex parte* order.

3. Having noticed the contention of learned counsel for the petitioners, the present petition is allowed. Order dated 05.05.2026 is hereby set aside. The *ex parte* proceedings against the petitioners stands set aside and the trial Court shall provide one opportunity only to the petitioners to file written statement in terms of the order dated 20.03.2026 (Annexure P4) and then proceed further in accordance with law. This is subject to ₹5000/- as cost payable to the respondent-plaintiff by way of demand draft.

4. As the order is being passed without issuing any notice to the respondent, to avoid unnecessary delay, the respondent will be at liberty to approach this court, if he feels aggrieved by this order.

The petition is disposed of in the above terms.

01.07.2026

Vivek

(DEEPAK GUPTA)
JUDGE

<i>Whether Speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>No</i>