



In the High Court of Punjab and Haryana, at Chandigarh

Civil Revision No. 2289 of 2024

Date of Decision: 04.03.2025

Arvinder Singh (Deceased) through his Legal Representatives

... Petitioner(s)

Versus

Amrik Singh and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Arshdeep, Advocate
for the petitioner(s).

Anil Kshetarpal, J.

1. Arvinder Singh, petitioner, before this Court, was a partner in the partnership firm, namely M/s New Punjab Commission Agents. A suit for recovery of ₹1,70,000/- was filed against the partnership firm and its partners. The petitioner was impleaded as defendant No.5. The suit was contested by two partners of the partnership firm i.e. defendants No.2 and 3, which was decreed on 29.10.2010.

2. The petitioner filed an application under order IX Rule 13 of the Code of Civil Procedure, 1908 (hereinafter referred to as "CPC") to set aside the *ex parte* judgment and decree which was dismissed by both the Courts below.

3. The First Appellate Court has found that the petitioner filed an application beyond the prescribed time period as he came know of the *ex parte* judgment and decree on 17.04.2014, whereas he filed an application

under Order IX Rule 13 CPC on 05.09.2017 i.e. after a period of three years from the date he gained the knowledge of passing of the *ex parte* judgment and decree. The learned counsel representing the petitioner has failed to point out any substantive error in the judgment of the First Appellate Court.

4. Keeping in view the aforesaid facts, no ground is made out to interfere with the impugned orders. Hence, the present revision petition is dismissed.

(Anil Kshetarpal)
Judge

March 04, 2025

“DK”

Whether speaking/reasoned :Yes/No

Whether reportable : Yes/No