



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

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CR-2413-2025 (O&M)  
Date of Decision: 24.04.2025

Dara Singh

...Petitioner

V/s

Shinderpal Singh

...Respondent

**CORAM : HON'BLE MR. JUSTICE VIKRAM AGGARWAL**

Present: Mr. Navinder Jit Singh Dandiwal, Advocate, for the petitioner.

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**VIKRAM AGGARWAL, J (ORAL)**

The present revision petition is directed against the order dated 01.10.2024 (Annexure P-6) passed by the Court of learned Civil Judge (Sr. Divn.), Moga, vide which the objections filed by the petitioner were dismissed.

2. The facts, as emanating from the revision petition, are that a suit for recovery of Rs.81,250/- was filed by the respondent-plaintiff (Shinderpal Singh) against the present petitioner-defendant. The same was dismissed on 01.12.2022 (Annexure P-1) by the Court of learned Civil Judge (Sr. Divn.), Moga. Notably, the petitioner had not appeared before the Court concerned and was accordingly proceeded against *ex parte* and, therefore, an *ex parte* decree was passed. An application under Order 9 Rule 13 of the Code of Civil Procedure, 1908 (for short the "CPC") for setting aside the *ex parte* decree was filed, which was also dismissed on 01.10.2024 (Annexure P-5) by the Court of learned Civil Judge (Sr. Divn.), Moga. In the meantime, execution petition was filed in which objections (Annexure P-3) were filed by the



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present petitioner. By way of the impugned order dated 01.10.2024 (Annexure P-6), the objections have been dismissed leading to the filing of the present revision petition.

3. I have heard learned counsel for the petitioner.

4. Learned counsel for the petitioner submits that appeal against the order dated 01.10.2024 vide which the application under Order 9 Rule 13 CPC had been dismissed is pending. He, however, on a query raised by the Court fairly concedes that there is no stay.

5. That being so, no illegality was committed by the executing Court by dismissing the objections filed by the petitioner. I do not find any illegality in the order passed by the executing Court warranting interference in the revision petition.

6. Accordingly, the present revision petition is dismissed.

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

**(VIKRAM AGGARWAL)**  
**JUDGE**

**April 24, 2025**

vchgarg

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No