

Krishan Chand Gupta Vs Yogesh Kumar and Others

Court: Supreme Court of India

Date of Decision: Aug. 25, 2015

Acts Referred: Civil Procedure Code, 1908 (CPC) - Order 9 Rule 13

Citation: (2015) 4 CDR 785

Hon'ble Judges: Dipak Misra, J; Prafulla C. Pant, J

Bench: Division Bench

Advocate: Mahabir Singh, K.V. Vishwanathan, Senior Advs., Preeti Singh, Gagan Deep Sharma, Nikhil Jain, Sachin Jain, Kailash Chand, Adeeba Mujahid and Balaji Srinivasan, for the Appellant

Final Decision: Dismissed

Judgement

Dipak Misra, J

In this appeal, by special leave, the Appellant calls in question the legal propriety of the order dated 3.11.2006 passed in

C.R. No. 2530 of 2006 by the learned Single Judge of the Punjab and Haryana High Court at Chandigarh whereby he has declined to interfere

with the order dated 20.01.2006 passed by the learned Additional District Judge, Kurukshetra in Appeal No. 54 of 2005 whereby the learned

Appellate Judge has affirmed the order dated 7.12.2005 passed by the learned Additional Civil Judge (Senior Division), Kurukshetra, whereby he

has declined to entertain the petition preferred under Order IX Rule 13 of the Code of Civil Procedure for setting aside the judgment in civil suit

No. 806/93.

2. On a perusal of the order passed by the High Court, we find that the trial court as well as the appellate court have analysed the facts in detail

and declined to exercise the civil revisional jurisdiction. In our considered opinion, there is no merit in the appeal and accordingly the same stands

dismissed. There shall be no order as to costs.