

I.A.1/2025 in O.S.71/2024
dated: 22.07.2026

order passed is follows:

Records perused.

The petitioner D5 has filed this petition under Order 9 Rule 7 of cpc to set aside the ex parte order passed against him on 21.07.2025 stating that due to his ill Health and non-traceability of relevant documents, he was unable to file his written statement intime and consequently he was set ex parte. His absence was neither wilfull nor wanton and hence prays to set aside the ex parte order passed against him.

The 2nd respondents vehemently opposed this petition stating that petition is liable to be dismissed in limein.

Considering the facts and circumstance of this petition and in the interest of justice, this court decided to give one opportunity to the petitioner. Hence this petition is allowed.

No costs.