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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CM(M) 1938/2024**

SHRI TARKESHWAR YADAV Petitioner

Through: Advocate. (appearance not given)

versus

PUNJAB NATIONAL BANK Respondent

Through: None.

CORAM:

HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER

% **21.02.2024**

CM APPL. 10700/2024 (exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

CM(M) 1938/2024, CM APPL. 10699/2024—stay

3. The present petition under Article 227 of the Constitution of India has been filed for setting aside the impugned order dated 09.08.2023 passed by the learned ADJ-10, Central district, Tis Hazari Courts, Delhi, in CS DJ No.18102/2016 titled as “*Punjab Bank Ltd. vs. Shri Tarkeshwar Yadav*” whereby application under Section 114 CPC read with Section 151 CPC for review/ recall of order dated 19.02.2019 and 22.10.2019 of the petitioner was dismissed. The petitioner herein was proceeded ex-parte in the above mentioned suit vide order dated 19.02.2019 and consequently, he preferred an application for setting aside the said ex-parte which was dismissed vide order dated 22.10.2019. Thereafter, the petitioner preferred a review



application for reviewing the said order which was also dismissed by the impugned order dated 09.08.2023 before the learned Trial Court.

4. It is further submitted by the learned counsel for petitioner that the case is at the stage of final arguments and circumstances are emergent at this stage.

5. On taking steps, let service be effected upon the respondent through all permissible modes including via approved courier service, returnable on 27.09.2024.

6. The learned Trial Court may fix a date beyond the date fixed by this Court.

SHALINDER KAUR, J.

FEBRUARY 21, 2024/SDS/DP