

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(s).1278 OF 2013
(arising out of SLP(C)No(s).14528/2009)

DALJIT SINGH BOPARAI

Appellant (s)

VERSUS

DALIP KUMAR GHAI

Respondent(s)

O R D E R

Leave granted.

Heard learned senior counsel on either side.

Considering the facts and circumstances of the case, we find that there was no reason for the High Court to interfere with the order of the lower Court. Consequently, we set aside the impugned order passed by the High Court and restore order dated 10.11.2008 of the Additional Civil Judge (Senior Division), Dera Bassi, Punjab by which ex-parte decree passed against the appellant was set aside.

However, we are inclined to impose cost of Rs.75,000/- (Rupees Seventy Five Thousand), which shall be deposited by the appellant in the Trial Court and it would be open to the respondent to withdraw it.

The appeal is accordingly disposed of.

.....J.
[K.S. RADHAKRISHNAN]

.....J.
[DIPAK MISRA]

NEW DELHI;

FEBRUARY 11, 2013

ITEM NO.204

COURT NO.10

SECTION IVB

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).14528/2009

(From the judgement and order dated 10/12/2008 in CR No.6489/2008 of The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

DALJIT SINGH BOPARAI

Petitioner(s)

VERSUS

DALIP KUMAR GHAI

Respondent(s)

(With prayer for interim relief)
(FOR FINAL DISPOSAL)

Date: 11/02/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.S. RADHAKRISHNAN
HON'BLE MR. JUSTICE DIPAK MISRA

For Petitioner(s) Mr. P.S. Narasimha, Sr. Adv.
 Mr. Seeraj Bagga, Adv.
Mr. Rajinder Mathur, Adv.
Mr. Sriram Parakhat, Adv.

For Respondent(s) Mr. A. Mariarputham, Sr. Adv.
 Mr. R. Balasubramaniam, Adv.
Ms. V. Mohana, Adv.
Mr. Gurpreet Singh, Adv.

UPON hearing counsel the Court made the following
O R D E R

Leave granted.

In terms of signed order, the appeal is disposed of.

| (A.D. Sharma)

| | (Renuka Sadana)

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| Court Master

| | Court Master

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(Signed Order is placed on the file)