

## SKV Law Offices Secures ex parte Supreme Court Stay, Halting Execution of Ex-Parte Decree for Ginni Global Pvt. Ltd (Jaipuria group)



Ensuring the right to a fair trial and protecting against procedural overreach, SKV Law Offices successfully represented Ginni Global Private Limited (a Hydro Power Generator) before the Supreme Court of India in a challenge against a High Court of Himachal Pradesh Judgment, wherein the High Court has restored the ex-parte decree passed by the Civil Judge, Chamba, in a recovery suit.

The litigation stemmed from a Special Leave Petition filed by the Petitioner challenging the judgment dated 01.07.2025 of the Hon'ble High Court of Himachal Pradesh passed in CMPMO No. 305/2022 wherein the High Court while exercising its supervisory jurisdiction under Article 227 of the Constitution of India had set aside a well-reasoned order of the Ld. Senior Civil Judge, Chamba, which had allowed the Petitioner's application under Order IX Rule 13 CPC to set aside an ex-parte decree passed in 2017.

The core grievance raised before the Supreme Court was that the High Court, while exercising its jurisdiction under Article 227 of the Constitution of India, had erroneously unsettled a lawful and justified order of the Trial Court. The core dispute arose from a Civil Suit filed by the Respondent concealing a Settlement Agreement dated 21.12.2011, under which he had already received full and final satisfaction of claims and basing the suit on a cheque which was never intended to be an enforceable debt.

The SKV team before the Supreme Court highlighted that the Ld. Civil Judge has mechanically proceeded ex-parte

against the Petitioner herein without even examining whether the summons were duly served upon the Petitioner or not. The SKV team also laid emphasis on the fact that restoration of the ex-parte decree would result in a grave miscarriage of justice by enforcing a liability that had already been discharged under the Settlement Agreement. The Supreme Court was pleased to issue notice and granted an ex-parte ad-interim stay on the execution of the decree, thereby bringing much-needed respite to the Petitioners as execution proceedings against the Petitioners were already initiated and further the warrant of attachment of movable property against Petitioners was issued by the local administration.

Click [here](#) to read the order.

*Ginni Global Private Limited was represented before the Supreme Court of India by Suhael Buttan (Partner), Vedant Choudhary (Associate) & Abhishek Thakur (Trainee Associate) of the SKV Law Offices team.*