

**IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA**

**CMPMO No.309 of 2026**

**Decided on: 22.06.2026**

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The H.P. State Cooperative Agriculture &  
Rural Development Bank & another

...Petitioners

Versus

Manish Kumar Rawat & others

...Respondents

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*Coram*

**Hon'ble Mr. Justice Romesh Verma, Judge**

*Whether approved for reporting?*

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| For the petitioners: | Mr. Hamender Singh Chandel,<br>Advocate. |
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| For the respondents: | Nemo. |
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**Romesh Verma, Judge (Oral)**

The instant petition arises out of order as passed by learned Senior Civil Judge, Court No.1, Sundernagar, Mandi, H.P. dated 17.04.2026, whereby the the right to file written statement on behalf of the defendants has been ordered to be closed.

2. The facts, as emerge in the present case, are that the respondent/plaintiff filed a suit for declaration and for recovery of Rs.10,50,000/- as compensation for damages against the present petitioners. The petitioners were served on 02.09.2025 and Mr.Narender Chandel, Advocate, had filed his memo of appearance and sought time to file written statement on behalf of respondents No.1 to 3.

3.           Thereafter, the case was fixed for 19.11.2025. On the said date, again at the request of Mr. Narender Chandel, learned counsel for the defendants, written statement was not filed and time was granted to do the needful by 24.12.2025. On 24.12.2025, the same request was made again, and the prayer made by learned counsel was allowed. The case was then posted for 16.01.2026. On the said date, written statement was again not filed by the defendants, and time was sought for doing the needful. Thereafter, the case was fixed for 17.04.2026, when the final order was passed by leaned Senior Civil Judge, Court No.1, Sundernagar, Mandi, H.P. and right to file the written statement on behalf of the defendants was ordered to be closed.

4.           Feeling dissatisfied, the defendants/petitioners have approached this Court by filing the instant petition.

5.           It is contended by learned counsel for the petitioners that the impugned order, as passed by learned trial Court, is not sustainable in the eyes of law and the same is liable to be quashed and set aside.

6.           I have heard learned counsel for the petitioners and gone through the case file.

7.           Admittedly, the present petitioners were served for 02.09.2025 and till 17.04.2026, for more than seven months, the written statement on behalf of the present petitioners was not filed.

8. From the perusal of the impugned order, this Court is of the considered opinion that there is no illegality or infirmity in the same. However, as a matter of indulgence and in the interest of justice, one last and final opportunity of four weeks is granted to file the written statement on behalf of the defendants. However, this indulgence is being shown to the present petitioners, subject to the payment of costs of Rs.25,000/- to be paid to the plaintiff/respondent No.1 or through his counsel, which shall be paid to respondent No.1/plaintiff or through his counsel within a period of two weeks from today, failing which the benefit of the present order shall not be available to the petitioners.

9. Consequently, the present petition is disposed of with a direction to the learned trial Court that one last and final opportunity to file the written statement be afforded to the petitioners within a period of four weeks from today, subject to the payment of Rs.25,000/-.

10. Pending application(s), if any, shall also stand disposed of.

**( Romesh Verma )**  
**Judge**

**June 22, 2026**  
**(vt)**