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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CR No.1565 of 2015

Date of decision: March 04, 2015

Bharat Bhushan and others

.....Petitioners

Versus

Vijeta Arora and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. N.S. Dandiwal, Advocate
for the petitioners.

SABINA, J

Petitioners have filed this petition challenging the order dated 13.02.2015, whereby their defence was struck off.

Learned counsel for the petitioners has submitted that now the case is listed before the trial Court for 20.03.2015. Petitioner shall file the written statement on the said date. Learned counsel has further submitted that in case, petitioners are not granted one opportunity to enable them to file their written statement, they will suffer an irreparable loss.

In the present case, respondents have filed suit for declaration that they were joint owners to the extent of their share in the suit land. Although, petitioners had failed to file their written statement within the period of three months, but ends of justice require that one opportunity be granted to the petitioners to enable them to file their written statement,

otherwise they will suffer an irreparable loss. Other party can be compensated with costs.

Accordingly, this petition is allowed. Petitioners are permitted to file their written statement before the trial Court on the date fixed, i.e. 20.03.2015 subject to payment of ₹5,000/- as costs. Thereafter, the trial Court shall proceed further with the suit in accordance with law.

**(SABINA)
JUDGE**

March 04, 2015

m.singh