

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

CR No.20 of 2015

Date of decision: 29.10.2015

Pawan Kumari

....Petitioner

Versus

Hans Raj and others

....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Vaibhav Narana, Advocate
for the petitioner.

Mr. S.K. Bokolia, Advocate
for respondent No.1.

RITU BAHRI J. (Oral)

The present civil revision petition has been filed by the petitioner for setting-aside the order dated 15.09.2014, passed by Civil Judge (Jr. Division), Amritsar, vide which the defence of the petitioner/defendant has been struck off.

The suit in the present case was filed by respondent No.1/plaintiff on 30.07.2013 and a perusal of the impugned order dated 15.09.2014, shows that after framing of the Issues, the case was fixed for plaintiff's evidence for 06.10.2014.

At this stage, reference has been made by learned counsel for the petitioner to the judgment "***Ranjan Koshal vs. Jagjiwan Koshal and others***", 2014 (3) PLR 469, where the trial Court had struck-off the defence of the defendants and had not

accepted the written statement filed by the defendants, but subject to payment of cost that revision petition has been allowed by Co-ordinate Bench of this Court.

Accordingly, the present revision petition is allowed and the order dated 15.09.2014 is hereby set-aside and one opportunity is granted to the petitioner/defendant to file written statement on or before 15.12.2015, subject to payment of cost of Rs.10,000/- to be paid to the respondent No.1/plaintiff.

(RITU BAHRI)
JUDGE

29.10.2015
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