

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT
CHANDIGARH

C.R. No.2313 of 2015

Date of Decision.06.04.2015

Paramjit Kaur and anotherPetitioners
Versus
Gurmukh Singh and anotherRespondents

Present: Mr. Arjun Lakhanpal, Advocate
for the petitioners.

CORAM:HON'BLE MR. JUSTICE K. KANNAN

1. Whether Reporters of local papers may be allowed to see the judgment ?
2. To be referred to the Reporters or not ?
3. Whether the judgment should be reported in the Digest?

-. -

K. KANNAN J. (ORAL)

1. There is no need to approach this Court against the order passed striking off the defence. If the written statement is not filed within a period of 90 days as required to be done under Order 8 Rule 1 CPC, the Court which strikes off the defence is not without power to recall its order if the application is filed and written statement is produced setting out the reasons as to why the statement could not have been filed within time. If such an application is filed, the Court will examine the circumstances that caused the delay and if the Court is satisfied that there was justification, it has power to recall the same. This point has been set forth by the Supreme Court in Salem Bar Association, Tamil Nadu Vs. Union of India (2005) 6 SCC 344.

2. The revision petition is dismissed with liberty as aforesaid to approach the Court for appropriate orders.

(K. KANNAN)
JUDGE

April 06, 2015
Pankaj*