

In the High Court of Punjab and Haryana at Chandigarh

**Civil Revision No. 2526 of 2015
Date of Decision: 10.4.2015.**

Ram Pal and another

.....Petitioners

Versus

Hisam Singh and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Deepak Sharma, Advocate
for the petitioners.

SABINA, J.

Petitioners have filed this petition under Article 227 of the Constitution of India challenging the order dated 21.4.2014 (Annexure P-2) whereby defence of the petitioner was struck off.

Learned counsel for the petitioners has submitted that petitioners had duly signed the written statement prepared by their counsel but had no knowledge that the same had not been filed in the Court by their counsel. In fact, petitioners had been informed about the adjourned dates by their counsel. However, in March 2015, petitioners engaged a new counsel and came to know about the passing of the impugned order. Learned counsel has further submitted that the case is pending before the Trial Court for plaintiffs evidence but no evidence has been led by the plaintiffs so far. Petitioners be granted one opportunity to enable them to file their written statement.

Keeping in view the submissions made by the learned

counsel for the petitioners, this petition is allowed. Impugned order dated 21.4.2014 (Annexure P-2) is set aside. Petitioners are allowed to file their written statement on or before 8.5.2015 i.e. the date fixed before the Trial Court subject to payment of ₹ 5000/- as costs. Costs be deposited with Legal Services Authority, Naraingarh. Thereafter, the Trial Court shall proceed further with the case, in accordance with law.

**(SABINA)
JUDGE**

April 10, 2015
Gurpreet