

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

**CR No.3420 of 2013
Date of decision: 06.02.2015**

Ranjit Kaur and another

....Petitioners

Versus

Ranjit Singh and others

...Respondents

CORAM: Hon'ble Mr. Justice Rakesh Kumar Jain

Present: Ms. Gagan Geet Kaur, Advocate for the petitioners.
Mr. L.S. Sidhu, Advocate for respondent Nos. 1 to 3.

Rakesh Kumar Jain, J. (Oral)

The present revision petition is filed against the order dated 19.07.2011, by which the defence of the petitioners has been struck off for non filing of the written statement in time. It has come on record that the petitioners has also filed an application for recalling of the impugned order, in which reply has also been filed, which is pending for 12.02.2015, for arguments.

Counsel for the petitioners has submitted that the these petitioners had appeared on 22.04.2011, the case was adjourned to 1.06.2011 for filing written statement, on 1.06.2011 the case was adjourned to 15.06.2011, on 15.06.2011 the case was adjourned for 19.07.2011 for filing written statement subject to payment of cost, on

that day the defence was ordered to be struck off. It is further submitted that three opportunities were not given to the petitioners to file their written statement. She has prayed that one last opportunity may be granted as the petitioners would file the written statement on the date already fixed i.e. 12.02.2015.

I have heard both the counsel for the parties.

The present revision petition is hereby allowed and the order dated 19.07.2011 is hereby set aside by granting one last opportunity to the petitioners to file their written statement on the date already fixed i.e. 12.02.2015.

Needless to mention here that this order, setting aside the order dated 19.07.2011, would make the application redundant, filed by the petitioner in the trial Court for recalling of the impugned order. However, the present revision petition is allowed subject to payment of cost of ₹5,000/- to be paid to the plaintiff.

Disposed of.

February 06, 2015
Manoj Bhutani

(Rakesh Kumar Jain)
Judge