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

CR No.3730 of 2015

Date of decision: May 28, 2015

Raj Kumar

.....Petitioner

Versus

Jagdeep Singh and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Ranjan Lohan, Advocate
for the petitioner.

SABINA, J

Petitioner have filed this petition challenging the order dated 24.02.2015, whereby defence of the petitioner, was struck off.

Learned counsel for the petitioner has submitted that, although, petitioner was granted three opportunities to enable him to file his written statement, but due to inadvertence, he could not do so within the said time period. Written statement is ready with the petitioner and he will file the same before the trial Court on the date fixed, i.e. 29.05.2015.

Keeping in view the submissions made by learned counsel for the petitioner, it would be just and expedient to enable him to file his written statement. Moreover, if petitioner is permitted to file his written statement, *lis* between the parties can be disposed of on merits.

Accordingly, this petition is allowed. Petitioner is permitted to file his written statement on 29.05.2015, i.e. the date fixed before the trial Court, subject to payment of ₹25,00/- as costs. Costs be deposited with the District Legal Service Authority, Chandigarh. Thereafter, the trial Court shall proceed further with the case in accordance with law.

A copy of this order be given to learned counsel for the petitioner *dasti*.

**(SABINA)
JUDGE**

May 28, 2015

m.singh