

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CR-401-2015

Date of decision: 21.1.2015

Vishal Retail Ltd. and another

..... Petitioners

Versus

Hardayal Singh Dhillon and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE R.P. NAGRATH

1. *Whether Reporters of the 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?*

PRESENT: Mr. Vaibhav Narang, Advocate for the petitioners.

R.P. NAGRATH, J. (ORAL)

The petitioners have invoked revisional jurisdiction of this Court under Article 227 of the Constitution of India, seeking to set aside the order dated 18.2.2013 (Annexure P-2), passed by the learned Additional Civil Judge (Senior Division), Khanna, whereby the defence of the defendant-petitioners was struck off.

I have carefully perused the impugned order and the record.

The learned trial Court has struck off the defence of defendant-petitioners as they did not file the written statement despite the expiry of statutory period of 90 days. Even they did not pay the costs imposed by the trial Court for adjournment. The order dated 18.2.2013 (Annexure P-2) has been challenged after the expiry of about

two years. In case, the instant petition is allowed, the very purpose of limiting the time for filing the written statement as contained under Order VIII Rules 1 and 2 of the Code of Civil Procedure, would become redundant.

In view of the above, there is no ground to interfere in the impugned order and that too after the expiry of about 2 years.

Dismissed.

January 21, 2015

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**(R.P. NAGRATH)
JUDGE**