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

CR No.4474 of 2015

Date of decision: July 17, 2015

Santokh Singh and others

.....Petitioners

Versus

Dr. Jagir Singh and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Fariad Singh Virk, Advocate
for the petitioners.

SABINA, J

Petitioners have filed this petition challenging the orders dated 27.10.2014 and 18.04.2015.

Learned counsel for the petitioners has submitted that the plaintiffs had filed suit for permanent injunction against the petitioners. Although, petitioners were granted opportunity to file their written statement by the trial Court, but due to inadvertence, they could not do so within the stipulated period. Learned counsel has further submitted that now, the case is listed before the trial Court for 06.08.2015. Petitioners shall file their written statement on the said date.

In the present case, respondent Nos.1 and 2 have filed suit for permanent injunction against the petitioners and the performa defendants (who are *ex parte* before the trial Court). Although, petitioners were granted opportunity to file

their written statement, but they failed to do so within the stipulated period. In case, petitioners are granted one opportunity to enable them to file their written statement, the *lis* between the parties will be disposed of on merits. Learned counsel for the petitioners has submitted that so far, plaintiffs have not led any evidence before the trial Court.

Accordingly, this petition is allowed. Petitioners are permitted to file their written statement on 06.08.2015, the date fixed before the trial Court, subject to payment of 5,000/- as costs. Costs be deposited with the District Legal Service Authority. Thereafter, the trial Court shall proceed further with the case in accordance with law.

**(SABINA)
JUDGE**

July 17, 2015
mahavir