

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

**Civil Revision No.5020 of 2015
Date of Decision: August 10, 2015**

E. Prem Kumar

.... Petitioner

vs.

Naritbir Bajwa

.... Respondent

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. Ravinder Rana, Advocate for the petitioner.

- 1. Whether Reporters of Local Newspapers 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?*

Kuldip Singh J.(Oral)

Impugned in the present revision petition is the order dated 05.05.2015 (Annexure P-6) passed by learned Addl. District Judge, Chandigarh, whereby the defence of present revisionist was struck off for not filing the written statement despite granting four opportunities to him.

Learned counsel for the revisionist has argued that he wanted to file application under Section 10 of CPC before the written statement is filed.

I do not find it a fit ground not to file the written statement.

However, it is a matrimonial dispute, the interest of justice requires that the present revision petition should be allowed to contest the same on merits. For delaying the matter, the opposite party can be compensated in terms of costs.

Therefore, the impugned order is set aside and the petitioner is granted one opportunity of three weeks only to file the written statement subject to payment of ₹10,000/- as costs to the opposite party.

The present revision petition is allowed accordingly.

August 10, 2015
sarita

(KULDIP SINGH)
JUDGE