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

CR No.564 of 2015

Date of decision: March 25, 2015

Jasvir Singh

.....Petitioner

Versus

Jarnail Singh and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Inderjit Sharma, Advocate
for the petitioner.

SABINA, J

Petitioner has filed this petition challenging the order dated 13.05.2014.

I have heard learned counsel for the petitioner and have gone through the record available on the file carefully.

Impugned order dated 13.05.2014 reads as under:-

“At this stage, it is brought to my notice by counsel for defendant No.1 Sh. Anil Jain that his defence was struck off vide order dated 25.3.2014 but one of his application moved by him on behalf of defendant No.1 dated 3.1.2014 is not disposed of by this court and only that is the reason he could not file the written statement and finally his defence was struck of. On his request and from the perusal of the file it has come into notice that an application dated 3.1.2014 filed by defendant no.1 is pending and inadvertently his defence was struck of without deciding this application. Statement of counsel for defendant no.1 is also recorded. Mistake be correct

and now the case is adjourned to 25.7.2014 for reply and consideration on the application dated 3.1.2014.”

It appears that due to inadvertence, the defence of the defendant No.1 was struck off, although, his application for producing the Will on record, was still pending. Hence, the mistake which had occurred in the order dated 25.03.2014 due to inadvertence was corrected vide the impugned order.

Keeping in view the cause of justice, no ground for interference by this Court is made out.

Dismissed.

**(SABINA)
JUDGE**

March 25, 2015

m.singh