

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No. 5660 of 2015 (O/M)
Date of decision : 1.9.2015

Kirpal Singh

..... Revisionist

Versus

Prabhsimran Singh

..... Respondent

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Vishal Handa, Advocate, for the revisionist.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

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KULDIP SINGH, J. (ORAL)

Impugned in the present revision is the order dated 7.10.2014 (Annexure-P-2), passed by the learned Additional Civil Judge (Senior Division), Ajnala, District Amritsar, vide which the defence of the defendant was struck off for not filing the written statement for more than 11 months.

The learned counsel for the revisionist contends that due to communication gap with the defendant, who is living in Malaysia, the written statement could not be filed. He seeks one more opportunity to file the written statement.

CR No. 5660 of 2015 (O/M)

It is not denied that the written statement is to be filed within 90 days. However, the lower Court has shown more than usual leniency to the defendant by allowing more than 11 months to file the written statement. There has to be some end to the matter. Therefore, after 11 months, the lower Court was left with no option, but to strike out the defence of the defendant, which is justified, as per the requirement of law.

The present revision is accordingly dismissed.

(KULDIP SINGH)
JUDGE

1.9.2015
sjks