

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CR No.648 of 2015.
Decided on:-28.01.2015.

Tara Singh alias Avtar Singh and othersPetitioners.

Versus

S. Paramjit Singh.Respondent.

CORAM: HON'BLE MR. JUSTICE DR. BHARAT BHUSHAN PARSOON.

Present:- Mr. Rishu Mahajan, Advocate
for the petitioners.

Dr. Bharat Bhushan Parsoon, J.

Counsel for the defendants, petitioners herein, has impugned order dated 25.9.2014 (Annexure P-2) whereby due to non-filing of written statement, defence of the defendants was struck off.

2. Counsel for the petitioners-defendants urges that the written statement is ready and copy whereof is part of the paper book as Annexure P-3 and seeks only one opportunity to file the written statement before the lower court.

3. No notice to the opposite side is being issued to avoid delay and further because no prejudice would be caused to the other party.

4. In view of the submissions made by counsel for the petitioners as also the circumstances explained in the petition, the request is allowed.

5. Sequelly, setting aside the impugned order, this petition is allowed with a direction to the lower court to grant one opportunity to the petitioners to file their written statement subject to payment of costs of Rs.10,000/- to be paid to the opposite side.

January 28, 2015
'Yag Dutt'

(Dr. Bharat Bhushan Parsoon)
Judge

1. Whether Reporters of local papers may be allowed to see the judgment? Yes
2. Whether to be referred to the Reporters or not? Yes
3. Whether the judgment should be reported in the Digest? Yes