

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No. 7427 of 2015 (O/M)
Date of decision : 5.11.2015

Col. (Retd.) Rajendra Singh Dhillon Revisionist

Versus

Vinay Jindal and another Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Abhijeet P.S. Chaudhary, 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 2.7.2015 (Annexure-P-2), passed by the Rent Controller, Ludhiana, vide which the Rent Controller dismissed the application filed by the present revisionist for striking out the defence of the respondents on the ground that written statement has not been filed for eleven months.

I have heard the learned counsel for the revisionist and have also carefully gone through the file.

The relevant extract from the impugned order is

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reproduced as under :-

“Heard. Perusal of the file reveals that the respondents have appeared through counsel on 20.8.2014 and thereafter sought two adjournments for filing written statement and one last opportunity was granted to them to file the written statement. However, both the parties stated that there are chances of compromise between them and on request of both the parties the case was being adjourned time and again and once the case was also referred to mediation and conciliation center on 11.02.15. But the matter was not resolved between the parties and ultimately, one final opportunity was granted to the respondents to file written statement, but they again sought adjournment and consequently considering their request, the adjournment was granted to them only subject to payment of cost by the respondents to the petitioner to compensate him for the delay and inconvenience caused to him. Today, the case was fixed for filing written statement on behalf of respondents subject to payment of cost of Rs. 1000/- to be paid by them to the petitioner. Since, on the date fixed i.e. today the written statement has been filed on behalf of respondents and the respondents have also tendered Rs. 1000/- as cost. In view of the above discussion, the above said application for striking off defence of the respondents is hereby dismissed being infructuous and is accordingly disposed of.”

It goes to show that the adjournments were granted for the purpose of compromise and mediation and thereafter, again the

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adjournment was sought for filing the written statement, which was granted, subject to payment of Rs. 1000/- as cost, to be paid by the respondents to the petitioner to compensate him. Now, the written statement has already been filed. It being so, there is no ground to strike out the defence of the respondents.

The present revision is accordingly dismissed.

(KULDIP SINGH)
JUDGE

5.11.2015
sjks