

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

CR No. 7305 of 2014

Date of Decision : 02.02.2015

Amrik Singh

.....Petitioner

Versus

Ruspal and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAKESH KUMAR JAIN

Present : Mr. Hari Om Sharma, Advocate
for the petitioner.

Mr. M.K. Bhatnagar, Advocate
for the respondent No.1.

RAKESH KUMAR JAIN, J. (Oral)

This revision petition is filed by defendant No.1 against the order dated 22.09.2014 by which the request of the petitioner for filing the written statement has been turned down and the defence has been struck off.

Learned counsel for the petitioner has submitted that the learned Court below has passed the impugned order on the ground that two effective opportunities have been granted for filing the written statement and even after imposition the cost of Rs.200/-, written statement has not been filed. No plausible reason has been given for not filing the same. It is submitted that the written statement could not be filed earlier because documents and information which were necessary for contesting the suit was not available. But now written statement is ready, which can be filed on any day, if an opportunity is provided.

Learned counsel for the respondent has vehemently contested

the revision petition and supported the order of the Court below.

After hearing learned counsel for the parties and examining the record, the present revision petition is hereby allowed and the petitioner is allowed to file written statement on the date already fixed i.e. 30.03.2015.

The revision petition stands allowed.

02.02.2015

Naveen

(RAKESH KUMAR JAIN)
JUDGE