

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

C.R. No. 7980 of 2015

Date of decision:- 30.11.2015

Amarjot Singh Dhanda

...Petitioner

Versus

Harjit Singh

...Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr. Varun Kumar, Advocate
for the petitioner.

RITU BAHRI J.(Oral)

Petitioner has filed the instant revision petition under Article 227 of the Constitution of India assailing order dated 08.09.2015 passed by the learned Civil Judge (Jr. Divn.), Fatehgarh Sahib, whereby the learned Court below has closed and struck off the defence of the defendant/petitioner.

Learned counsel for the petitioner contends that the father of the petitioner had disowned him since 20.09.2014 and this news was published in the newspaper on 27.09.2014 (P-2) and thus, the summons received by the father of the petitioner was not informed to the petitioner. Learned counsel for the defendant-petitioner on 27.03.2015 put in appearance and demanded the copy of the plaint. In the month of July, 2015, learned counsel for the defendant/petitioner came to know that the summons had been received by the father of the petitioner. The petitioner

was further in judicial custody.

In view of the above factual position, order dated 08.09.2015 passed by the learned Civil Judge (Jr. Divn.), Fatehgarh Sahib is hereby set aside and the instant revision petition is ***allowed*** and the trial Court is directed to give one effective opportunity to the petitioner to file his written statement, subject to payment of Rs.3000/- as cost to be deposited before the District State Legal Services Authority, Fatehgarh Sahib.

November 30, 2015
G Arora

(***RITU BAHRI***)
JUDGE