

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

**Civil Revision No.8285 of 2015 (O&M)  
Date of decision: 07.12.2015**

**Piara Singh**

**.....Petitioner**

**Versus**

**Amar Singh and others**

**.....Respondents**

**CORAM:HON'BLE MS. JUSTICE RITU BAHRI**

Present: Mr. R.S. Chauhan, Advocate,  
for the petitioner.

**Ritu Bahri, J.**

Challenge in this petition is to the order dated 28.07.2015 (Annexure P-3) passed by the Additional Civil Judge (Senior Division), Nihal Singh Wala, whereby defence of defendant-petitioner has been struck off.

Perusal of the impugned order shows that counsel for defendant No.1-petitioner had put in appearance on 13.03.2015 and the case was adjourned to 17.07.2015. On 17.07.2015, the written statement was prepared, but inadvertently, it was attached with some another file. An affidavit (Annexure P-4) to this effect was given by counsel for defendant No.1-petitioner.

In the given circumstances of the case, to impart complete justice to the partis, this Court deems it appropriate to provide one opportunity to defendant No.1-petitioner to file written statement. However, delay in filing the same could be compensated with costs.

In view of the above, the impugned order dated 28.07.2015

(Annexure P-3) is set aside and one effective opportunity is granted to defendant No.1-petitioner to file his written statement, subject to costs of Rs.3000/- to be deposited with the concerned District Legal Services Authority.

Allowed accordingly.

07.12.2015  
ajp

(RITU BAHRI)  
JUDGE