

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

**CR No.8717 of 2015
Date of decision: 22.12.2015**

Surjeet Kaur

....Petitioner

Versus

Sumitra and others

....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. M.S. Virk, Advocate
for the petitioner.

RITU BAHRI J. (Oral)

The petitioner has come up in revision for setting-aside the order dated 19.11.2015, passed by Civil Judge (Jr. Division), Ellenabad, whereby the defence of the petitioner/defendant No.2 has been struck-off.

From the perusal of the impugned order, it reveals that the petitioner/defendant No.2 was served through her son, namely, Angrej Singh on 22.08.2015. The defendant No.2 has availed number of opportunities to file written statement and even after the expiry of 87 days she has not filed the written statement. It has further been observed that an attempt was being made to compromise the matter with the plaintiff which did not succeed and the defence of the petitioner/defendant No.2 was struck-off

vide order dated 19.11.2015.

Learned counsel for the petitioner/defendant No.2 has submitted that the petitioner/defendant No.2 was under the impression that the matter might be settled between the parties amicably with the interventions of the respectable, so, she could not hand-over the documents to her counsel to draft the written statement.

Keeping in view the above facts and circumstances and to meet the ends of justice, the present revision petition is allowed. The order dated 19.11.2015, passed by Civil Judge (Jr. Division), Ellenabad, is hereby set-aside and one effective opportunity is granted to the petitioner/defendant to file her written statement, subject to payment of cost of Rs.2,500/- to be deposited before the State Legal Services Authority, Sirsa.

(RITU BAHRI)
JUDGE

22.12.2015

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