

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

C.R. No.4216 of 2016

Date of Decision.08.07.2016

Estate Officer, Estate Office, Sector 17, Chandigarh

.....Petitioner

Vs.

Rajbir Singh and others

.....Respondents

Present: Ms. Sonia Sharma, Advocate
for the petitioner.

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

1. Whether Reporters of local papers may be allowed to see the judgment ?
2. To be referred to the Reporters or not ?
3. Whether the judgment should be reported in the Digest?

-.-

AMIT RAWAL J. (ORAL)

The counsel for the petitioner-defendant No.4 is aggrieved of the impugned order dated 05.02.2016, whereby, the defence of the petitioner is struck off.

The counsel for the petitioner submits that the written statement and reply to the stay application has not been filed on the date fixed before the court below but now the written statement and reply to the stay application is ready and the petitioner-defendant will file the same at the next adjourned date.

I have heard the counsel for the petitioner, appraised the paper book and of the view that no doubt, the petitioner-defendant No.4 is negligent in not filing the written statement and reply to the stay application within time. However, in order to advance justice and prevent the miscarriage of justice, I deem it appropriate to grant one more opportunity to

stay application.

In view of the aforementioned facts, the order impugned is set aside and the petitioner-defendant No.4 is directed to file the written statement and reply to the stay application at the next adjourned date before the court below subject to any term and condition already imposed by the court below and further subject to payment of costs of ₹5000/-. In case, the costs is not paid as directed by this Court, the order already passed by the Court below shall stand restored.

The revision petition is allowed.

(AMIT RAWAL)
JUDGE

July 08, 2016
Pankaj*