

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

Civil Revision No.5234 of 2016

Date of decision: 17.8.2016

Sandeep Arora alias Sunny

... Petitioner

Versus

Aggarwal Rice Mill and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr.Dinesh Arora, Advocate,
for the petitioner.

AMIT RAWAL, J. (Oral)

The petitioner-defendant is aggrieved of the order dated 5.7.2016, whereby, his defence has been struck off.

Mr.Dinesh Arora, Advocate for the petitioner submits that in case, one opportunity is granted, he will file his written statement.

I have heard the counsel for the petitioner-defendant and appraised the paper book and of the view that no doubt, the petitioner defendant was negligent in filing his defence. However, in order to advance justice and prevent miscarriage of justice, I deem it appropriate to grant one opportunity to the petitioner to file written statement.

Keeping in view the aforementioned observations, the impugned order is set aside and the petitioner-defendant shall file his defence subject to payment of costs of ₹ 5,000/- which shall be condition

precedent. If the costs is not paid as directed, the order passed already by the court below shall stand restored. The impugned order is set aside and the revision petition is allowed.

The petitioner undertakes to file written statement on the next date of hearing before the trial court, i.e., on 22.8.2016.

(AMIT RAWAL)
JUDGE

August 17, 2016

Paritosh Kumar

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No