

Civil Revision No.1544 of 2017 (O&M)

[1]

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

Sr. No. 272

Civil Revision No.1544 of 2017 (O&M)
Date of decision: April 19, 2017

Jagpal Singh and another

.... Petitioners

Versus

Alka Jain and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. M.L. Saggar, Senior Advocate with
Mr. Rajesh Punj, Advocate,
for the petitioners.

Mr. Nikhil Garg, Advocate,
for respondent Nos.1 to 3.

JASPAL SINGH, J.

CM No.4799-CII of 2017

Application is allowed as prayed for.

CR No.1544 of 2017

Through the instant petition preferred under Article 227 of the
Constitution of India, petitioners have sought quashing of order dated

Civil Revision No.1544 of 2017 (O&M)

[2]

January 06, 2017 (Annexure P-12), passed by Additional Civil Judge (Sr. Divn.), Ratia, Fatehabad whereby an application filed by the petitioners for permission to file replication has been dismissed.

2. At the very outset of the arguments, it has been submitted by Mr. Nikhil Garg, counsel for respondent/defendant Nos.1 to 3 that the respondent/defendant Nos.1 to 3 have no objection in case the trial court is directed to take replication to the written statement on record, to be filed by the petitioners. Otherwise also, a perusal of the file transpires that the replication is required to be filed taking into view the written statements filed by the respondent/defendant Nos.1 to 3 in which various preliminary objections have been taken and the averments made in the plaint have been denied.

3. Accordingly, instant petition is allowed and the impugned order is set aside with further direction to the trial court to take on record the replication to be filed by the petitioners to the written statement filed by the respondent/defendant Nos.1 to 3 and then to proceed with the suit in accordance with law.

April 19, 2017

Ankur

**(JASPAL SINGH)
JUDGE**

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No