

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

**C. R No. 2764 of 2017 (O&M)
Date of decision : 12.07.2017**

Dharminder SinghPetitioner
versus

Sanny Kumar and another ...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Abhinav Sood, Advocate
for the petitioner.

RITU BAHRI, J. (Oral)

Challenge in this petition is to order dated 22.02.2017 passed by learned Civil Judge (Jr. Divn.), Mahindergarh, vide which, the defence of the petitioner has been struck off.

A perusal of the zimini orders (P-2 and P-3) shows that the petitioner-defendant had taken three dates for filing written statement and by stating that there are chances of compromise between the parties. However, no compromise was effected and the defence of the petitioner-defendant was struck off, vide impugned order dated 22.02.2017.

In view of the above, order dated 22.02.2017 passed by learned Civil Judge (Jr. Divn.), Mahindergarh is hereby set aside and the instant revision petition is ***allowed*** and the trial Court is directed to give one effective opportunity to the petitioner-defendant to file written statement, within a period of seven days from today, subject to payment of Rs.5000/- as costs to the plaintiffs.

12.07.2017

G.Arora

*Whether speaking/reasoned
Whether reportable*

*Yes
No*

**(RITU BAHRI)
JUDGE**