

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

CR No.36 of 2017

Date of decision: 07.07.2017

Harsimran Singh and another

...Petitioners

Versus

Balwinder Singh and others

...Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Manmeet Singh Rana, Advocate,
for the petitioners.

Mr. Anoop Singla, Advocate,
for respondent No.1.

Ritu Bahri, J.

This petition has been filed for setting aside the order dated 26.05.2016 (Annexure P-2) passed by the Civil Judge (Junior Division), Jalandhar, whereby defence of defendant Nos.4 and 5-petitioners have been struck off.

A perusal of the impugned order (Annexure P-2) shows that service upon other defendants i.e. defendant Nos.1 to 3 has not been effected yet.

In the given circumstances of the case, to impart complete justice to the parties and also to avoid deprivation of full opportunity to the petitioners, this Court deems it appropriate to provide one effective opportunity to the defendant-petitioners to file their written statement.

Accordingly, the impugned order dated 26.05.2016 (Annexure P-

2) is set aside and one effective opportunity is granted to the petitioners to file their written statement, subject to costs of Rs.5,000/- to be paid to the respondent(s).

Petition stands allowed accordingly.

07.07.2017
ajp

(RITU BAHRI)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No