

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR No.5760 of 2017 (O&M)
Date of decision: 28.08.2017

Suba Singh and others

... Petitioners

Vs.

Pishor Singh

... Respondent

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr. Ashish Gupta, Advocate
for the petitioners.

RAMESHWAR SINGH MALIK, J. (ORAL)

Feeling aggrieved against the order dated 12.07.2017 passed by the learned trial Court, whereby their defence was struck off, defendants have approached this Court by way of present civil revision petition under Article 227 of the Constitution of India, for setting aside the impugned order.

Notice of motion.

At this stage, Mr. Gurmeet Singh Saini, Advocate appears and accepts notice on behalf of the respondent and fairly states that he would have no objection in case the instant revision petition is allowed, by setting aside the impugned order, provided the plaintiff-respondent is duly compensated by the defendants-petitioners by payment of reasonable amount of costs.

Faced with the above, learned counsel for the petitioners-defendants also fairly states that since there was a fault on the part of the defendants, which might be a bonafide one, they would not be averse in

compensating the plaintiff-respondent by payment of reasonable amount of costs in case the present revision petition is allowed, by setting aside the impugned order.

In view of the abovesaid fair stands taken on behalf of both the parties, impugned order passed by the learned trial Court is hereby set aside, however, subject to payment of Rs.5,000/- as costs to be paid by the defendants-petitioners to the plaintiff-respondent before the learned trial Court on or before the next date of hearing.

However, keeping in view the peculiar facts and circumstances of the case, learned trial Court is directed to expedite the trial and decide the suit at an early date.

With the abovesaid observations made and directions issued, present revision petition stands allowed, however, with no order as to costs.

[RAMESHWAR SINGH MALIK]
JUDGE

28.08.2017

vishnu

Whether speaking/reasoned Yes/No

Whether reportable Yes/No