

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

CR No.7156 of 2017
Date of decision :13.10.2017

Varinder Kumar

...Petitioner

Versus

Baldev Krishan Kapoor and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Mandeep Kaushik, Advocate
for the petitioner.

ANIL KSHETARPAL, J. (Oral)

Defendant No.2 is in revision petition against the order dated 25.04.2017. Defence of the petitioner was struck off on the ground that defendant No.2-petitioner has failed to file written statement and reply to the stay application.

A reading of the order would show that counsel for defendant No.2 was not present.

The suit is for declaration to the effect that the sale deed executed by defendant No.1 in favour of defendant No.2 is void ab initio.

Taking into consideration the fact that the suit was filed in the year 2016 only, it is considered appropriate to grant one opportunity to defendant No.2 to file his written statement and reply to the stay application.

Accordingly, defendant No.2 is granted 15 days time to file written statement and reply to the stay application. Such opportunity shall be subject to the payment of cost of Rs.10,000/- payable towards the funds of the Bar Association.

13.10.2017
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(ANIL KSHETARPAL)
JUDGE