

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

Sr. No.106

**Civil Revision No. 8819 of 2016 (O&M)
DECIDED ON: February 09, 2017**

Bharat Thakran and others

..PETITIONERS

VERSUS

Sikander and others

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Prateek Rathee, Advocate,
for the petitioners.

JASPAL SINGH, J. (ORAL)

CM No.2290-CII of 2017

Application is allowed as prayed for.

Documents (Annexures P-11 & P-12) are taken on record
subject to all just exceptions and be tagged at appropriate place.

Main Case

By virtue of the instant civil revision petition preferred under Article 227 of the Constitution of India, petitioners have sought the examining of legality of the order dated December 21, 2016 (Annexure P-11) passed by Additional Civil Judge (Senior Division), Pataudi in civil suit bearing No.244 of 2016, titled as '*Bharat Thakran & Ors. vs. Sikander & Ors.*' vide which she has neither recorded the contention of the counsel for the petitioners to strike out the defence of the respondent Nos.1 to 6

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pursuant to their failure to file the written statement despite last opportunity as well as on the ground that 90 days has already expired has not taken into consideration.

2. However, learned counsel for the petitioners submit that he feels satisfied in case a direction is issued to the trial court to decide the application moved under Order XXXIX Rules 1 & 2 read with Section 151 CPC within a stipulated period.

3. The instant civil revision petition is disposed of, with a direction to the trial court to deal with and dispose of an application within a period of one month from the date of receipt of a certified copy of this order.

February 09, 2017
Ankur

(JASPAL SINGH)
JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No