

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

137

CR No.8557 of 2017
Date of Decision:07.12.2017

Dolak Singh and another

...Petitioners

Versus

Sohan Singh

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Sandeep Arora, Advocate
for the petitioners.

ANIL KSHETARPAL, J.(Oral)

Defendants are in revision petition against order dated 27.07.2017 striking off the defence of the defendants on account of non-filing of the written statement within a period of 90 days.

No doubt, Courts are making sincere efforts to expedite the trial, which is commendable, however, in certain circumstances or exceptional cases the Court is well within its power to extend the period.

Taking into consideration, the pleadings in the revision petition, this Court is of the opinion that the defendants deserve to be granted one more opportunity to file the written statement.

In view thereof the order dated 27.07.2017 is set aside. Defendants are granted one opportunity to file the written statement, which shall be subject to payment of cost of Rs.10,000/-. The written statement be filed within a period of 3 weeks from today.

Since this Court has passed the order without issuing notice to the plaintiff-respondent, therefore, he shall be at liberty to move an application for recall of the same, if he feels aggrieved.

Hence this revision petition is allowed.

07.12.2017
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(ANIL KSHETARPAL)
JUDGE