

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR No.92 of 2017

Date of decision: 12.01.2017

The Estate Officer, Punjab Urban Development Authority

... Petitioner

Vs.

Harbhajan Singh

... Respondent

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr. Aman Sharma, Advocate
for the petitioner.

RAMESHWAR SINGH MALIK, J. (ORAL)

Instant revision petition is directed against the order dated 08.11.2016 (Annexure P-6). Defence of the defendant-petitioner was struck off.

Notice of motion.

At this stage, Mr. Palvinder Singh, Advocate appears and accepts notice on behalf of the respondent.

Heard learned counsel for the parties.

Learned counsel for the petitioner submits that petitioner is ready to compensate the respondent-plaintiff by paying reasonable costs for granting the petitioner only one more opportunity to file the written statement and it shall be done on behalf of the petitioner before the next date of hearing i.e. 22.01.2017, fixed before the learned trial Court.

Faced with the above, learned counsel for the respondent also fairly states that although the petitioner is negligent, while not filing the written

statement, but he would have no objection in granting one more opportunity to the petitioner, if the respondent-plaintiff is suitably compensated.

In view of the abovesaid respective fair stands taken by learned counsel for the parties, instant revision petition is disposed of, by modifying the impugned order dated 08.11.2016 (Annexure P-6) granting one more opportunity to the petitioner for filing its written statement on or before the next date of hearing i.e. 22.01.2017, fixed before the learned trial Court.

However, the opportunity aforesaid granted to the petitioner will be subject to payment of Rs.20,000/- to the respondent-plaintiff on or before the next date of hearing fixed before the learned trial Court i.e. 22.01.2017, at the time of filing its written statement.

It is also made clear that if the amount of Rs.20,000/- is not paid by the petitioner to the respondent-plaintiff, it shall not be afforded any further opportunity to file the written statement and the impugned order dated 08.11.2016 (Annexure P-6) passed by learned trial Court shall stand as it is.

With the abovesaid observations made and directions issued, present revision petition stands disposed of.

[RAMESHWAR SINGH MALIK]
JUDGE

12.01.2017
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Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No