

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

139

**CR No.133 of 2018 (O&M)  
Date of decision: 12.01.2018**

Ramphal

..... Petitioner

Versus

Sandeep

..... Respondent

**CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL**

Present:- Mr. Lalit K. Gupta, Advocate for the petitioner.

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**ANIL KSHETARPAL, J. (ORAL)**

Plaintiff-petitioner is in revision petition against the order dated 02.01.2018 passed by the trial Court permitting the defendant to file the written statement to the main case as well as reply to the application under Order 39 Rule 1 and 2. It is the contention of the petitioner that since this Court while deciding CR No.8867 of 2017 had permitted the defendant to file the written statement within one week from the date of receipt of certified copy of order dated 16.12.2017 and the certified copy was prepared but it was not collected, therefore, the defence of the petitioner is liable to be struck off.

In the considered opinion of this Court, the petitioner is overlooking the fact that after the winter vacations, the Court re-opened on 02.01.2018 and on that very day, the written statement as well as reply to the application has been filed.

In any case, the time granted would be deemed to have been extended under Section 148 of Cr.P.C.

Revision petition is dismissed.

**( ANIL KSHETARPAL )  
JUDGE**

**12.01.2018**  
Dinesh Bansal

Whether speaking/reasoned  
Whether Reportable

Yes / No  
Yes / No