

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

278

CR No.231 of 2018 (O & M)
Date of Decision:30.07.2018

Satbir and another

...Petitioners

Versus

Rajender Singh and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Akash Vashisth, Advocate
for the petitioners.

Mr. Kartar Singh, Advocate
for respondent No.1.

ANIL KSHETARPAL, J.(Oral)

Defendants No.1 to 3 are in the revision petition against the order passed by the learned trial Court dated 05.12.2017 striking off their defence on the ground that written statement was not filed within prescribed period of 90 days.

Learned counsel for the petitioners has submitted that since their counsel had suddenly fell ill and thereafter remained indisposed for quite some time, therefore, the written statement could not be filed.

It is not in dispute that the trial of the suit has not further progressed. Learned counsel for the petitioners undertakes to file their written statement within 15 days of receipt of certified copy of the order.

Keeping in view the aforesaid situation, this Court is of the considered view that the petitioners should be granted another opportunity to file their written statement.

Keeping in view the undertaking given by the learned counsel

for the petitioners, the revision petition is allowed.

Petitioners are permitted to file written statement within 15 days from the date of receipt of certified copy of the order subject to payment of Rs.5,000/-.

All the pending miscellaneous applications, if any, are disposed of, in view of the above said judgment.

30.07.2018
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(ANIL KSHETARPAL)
JUDGE

Whether Speaking/Reasoned: Yes/No
Whether Reportable : Yes/No