

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

CR No.2554 of 2018
Date of decision : 24.04.2018

Omandeep Singh

...Petitioner

Versus

Varjinder Singh and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Harneet Singh Oberoi, Advocate for the petitioner.

ANIL KSHETARPAL, J. (ORAL)

Defendant No.3-petitioner is in the revision petition against the order dated 15.03.2018 striking off the defence on the ground that the written statement has not been filed.

Learned counsel for the petitioner has drawn the attention of the Court to the orders dated 14.02.2018 and 05.03.2018. He submits that on 14.02.2018, counsel for defendant Nos.1 to 4 had put in appearance and the case was adjourned to 05.03.2018. On 05.03.2018, prayer was made for grant of adjournment and the case was adjourned to 15.03.2018 and on 15.03.2018, the impugned order was passed.

It is appreciable that the Courts are making sincere efforts to dispose of the suits on an early date, however, it is utmost important that the parties be granted proper opportunity to file their pleadings. From 14.02.2018 to 05.03.2018, the defendants were granted approximately 25

days for filing written statement. Thereafter on 05.03.2018, the case was adjourned for 10 days and on 15.03.2018 itself, the defence was struck off.

Counsel for the petitioner has pointed out that for filing the written statement, certain documents were required. Certified copy whereof was applied for. Since, the certified copies of the aforesaid documents were not supplied, therefore, the petitioner could not file the written statement.

Keeping in view the contention of the learned counsel for the petitioner, the order under challenge is set aside.

Revision petition is allowed.

The defendants are granted one opportunity to file their written statement. Let the same be filed within a period of 10 days from the date of receipt of certified copy of the order.

Since, the order is being passed without issuing the notice to the respondents, the respondents would be at liberty to move an application for recall or modification, if required.

24.04.2018

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No