

**CM No. 16037-CII-2018 in/and
CR No. 3100 of 2018**

-1-

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

**CM No. 16037-CII-2018 in/and
CR No. 3100 of 2018
Date of Decision: 06.08.2018**

Ajit Singh and others

.....Petitioners

Vs.

Anchal Singh and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. K.S. Lakhanpal, Advocate,
for the applicants-petitioner.

AMOL RATTAN SINGH, J. (ORAL)

CM No. 16037-CII-2018

By this application, advancement of the date of hearing in the accompanying petition is sought, which otherwise stands adjourned to 19.12.2018, its turn not having come up on the last date of hearing, i.e. 24.07.2018.

Even before notice was issued in this application, Mr. Amandeep Singh Manaise, Advocate, appears on behalf of respondent no. 1/non-applicant and has filed his power of attorney which is taken on record.

The application is allowed and by consent of learned counsel for the parties, the date of hearing fixed in the accompanying petition is advanced to today itself.

CR No. 3100 of 2018

Learned counsel for respondent no. 1 submits that the impugned order does not suffer from any illegality, it having been passed after the petitioners

(defendants no. 5, 7, 8, 9 and 11) had not filed their written statement despite sufficient number of opportunities granted.

On query to learned counsel for the parties, it is not denied that the suit before the learned trial Court is at a stage of filing an amended plaint after the legal representatives of some of the defendants had been substituted, the said defendants having died.

It is also not denied that no evidence has been led so far in the suit.

Considering the aforesaid, the petition is allowed with the impugned order dated 02.07.2016 set aside and permission granted to the petitioners to file a reply within one month of the filing of the amended plaint, subject to the petitioners paying costs of Rs. 3,000/-.

August 06, 2018
nitin

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
Yes