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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR-4-2018 (O&M)
Date of decision : 08.01.2018

Punjab State and others

... Petitioner(s)

Versus

Pardeep Kumar

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present: Ms. Akanksha, AAG, Punjab.

AMIT RAWAL, J. (ORAL)

CM-36-CII-2018

Allowed as prayed for.

CR-4-2018

The petitioners-defendants/State of Punjab are aggrieved of the impugned order dated 15.07.2017 (Annexure P-1), vide which, application for review of the order dated 16.03.2017 (Annexure P-2), whereby, their defence has been struck off on the ground of non-filing of written statement, has been dismissed.

Learned counsel appearing on behalf of the petitioners-defendants/State of Punjab submits that in case, one opportunity is granted, they will file their written statement.

I have heard the counsel for the petitioners-defendants/State of Punjab and appraised the paper book and of the view that no doubt, the petitioners-defendants were negligent in filing their written statement.

However, in order to advance justice and prevent miscarriage of justice, I deem it appropriate to grant one opportunity to the petitioners-defendants-State of Punjab to file written statement.

Keeping in view the aforementioned observations, the impugned orders dated 15.07.2017 (Annexure P-1) and 16.03.2017 (Annexure P-2) are hereby set aside and the petitioners-defendants shall file their written statement subject to payment of costs of ₹ 5,000/-, which shall be condition precedent. If the costs is not paid as directed, the order passed already by the Court below shall stand restored.

With the aforesaid observations, the revision petition stands allowed.

The petitioner undertakes to file written statement on the next date of hearing before the trial Court.

08.01.2018
Yogesh Sharma

(AMIT RAWAL)
JUDGE

	✓
Whether speaking/reasoned	Yes/ No
	✓
Whether Reportable	Yes/ No