

IN THE PUNJAB & HARYANA HIGH COURT AT CHANDIGARH

CR-4948-2018

Date of decision : 11.09.2018

Satinder Singh

... Petitioner

Versus

Kanwar Deep Singh Sethi and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr.Anil Chawla, Advocate
for the petitioner.

AMOL RATTAN SINGH, J.(ORAL)

By this petition the petitioner challenges the order of the learned Civil Judge (Jr.Div.), Amritsar, dated January 23, 2018, by which his defence (defendant no.11) has been struck off, the written statement not having been filed by him despite the last opportunity granted.

Learned counsel for the petitioner submits that as a matter of fact thereafter, even vide the order dated 17.07.2018 (copy produced in Court today), a last opportunity was granted to defendant no.19 to file his written statement with the next date of hearing before the trial Court now being September 14, 2018, at the stage of consideration of the application filed by some of the defendants under Order 7 Rule 11 read with Section 151 of the CPC.

Thus he submits that no witness for the plaintiffs has been examined so far.

That being so, without even issuing notice in this petition, it is disposed of with a direction that subject to the petitioner-defendant no.11 paying Rs.5000/- as costs, one opportunity be granted to file his written statement by the next date of hearing before the trial Court.

(AMOL RATTAN SINGH)
JUDGE

September 11, 2018.

D.K.

Whether speaking / reasoned

Yes/No

Whether reportable

Yes/No