

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

Sr. No.115

C.R. No.5082 of 2018

Date of decision: 21.08.2018

Amarjit Singh

....Petitioner

versus

Kailash Nath and others

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Parvinder Singh, Advocate
for the petitioner.

Mr. Dinesh Nagar, Advocate
for the contesting respondent No.1.

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DEEPAK SIBAL, J. (Oral)

The present petition is directed against the order dated 20.07.2018 passed by the Additional Civil Judge (Senior Division), Shaheed Bhagat Singh Nagar (for short – 'the Trial Court') through which an application filed by the petitioner seeking a direction to the respondent to place on record the details of the documents referred to in the plaint, has been dismissed. Also under challenge is an order of even date passed by the Trial Court striking off the petitioner's defence for having not filed his written statement in time.

Learned counsel for the petitioner submits that in para no.2 of the plaint, respondent No.1 has referred to a civil suit between respondent no. 1 and the petitioner regarding land in khasra no.62//10/2(2-9), 11/1(7-12) situated in the area of Banga, District SBS Nagar, which was compromised between the parties. Since no details of such suit had been

supplied, no effective written statement could have been filed by the petitioner.

At the time of hearing of the matter, learned counsel for respondent No.1 has given the details of the afore-referred suit to learned counsel for the petitioner, which are as under:-

“Kailash Nath versus Amarjit Singh and others, which was disposed of on 30.08.2008 in terms of a compromise having been arrived at between the parties.”

In view of the above, learned counsel for the petitioner submits that no further information is required by the petitioner and accordingly, the petitioner shall now file his written statement by 07.09.2018, which is the next date of hearing fixed before the Trial Court.

Since the petitioner was precluded from filing an effective written statement for want of certain details which have now been supplied, the impugned orders are set aside and the petitioner is permitted to file his written statement by 07.09.2018. It is clarified that no further time shall be granted to the petitioner for doing the needful.

The present petition is allowed in the above terms.

**(DEEPAK SIBAL)
JUDGE**

August 21, 2018
Jyoti 1

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No