

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR-5655-2016 (O&M)

Date of decision : 16.01.2018

Karan Singh

..... Petitioner

Versus

Jagir Kaur (deceased)
through LRs and others

..... Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. S.S. Swaich, Advocate for the petitioner.
None for respondents.

1. *Whether the Reporters of local newspaper may be allowed to see the judgment ?*
2. *To be referred to the Reporter or not.*
3. *Whether the judgment should be reported in the digest ?*

KULDIP SINGH J. (ORAL)

Heard.

Impugned in the present revision petition is the order dated 4.8.2012 (Annexure P-2) passed by the learned Civil Judge (Junior Division), Patiala, vide which defence of petitioner-defendant No. 1 was struck off, on the last opportunity to file written statement and further impugned is the order dated 27.7.2016 (Annexure P-5) vide which learned Civil Judge (Junior Division) Patiala refused to recall the order dated 4.8.2012 (Annexure P-2).

None has put in appearance on behalf of the respondents.

Learned counsel for the petitioner fairly admits that seven opportunities were granted for filing the written statement and despite last opportunity, it was not filed. It is claimed that there was a lapse on the part of the counsel.

The suit is for possession; declaration and injunction, therefore, serious rights of the parties are involved. Petitioner-defendant No. 1 is ready to pay the cost for causing delay and harassment to the plaintiffs-respondents.

In the said circumstances and in the interest of justice, petitioner-defendant No. 1 is granted one opportunity to file the written statement on the date fixed by the learned trial Court, subject to payment of cost of ₹ 1.00 lac as costs, out of which ₹ 50,000/- shall be paid to the plaintiffs-respondents and ₹ 50,000/- shall be deposited before the District Legal Services Authority, Patiala.

Allowed in the above terms.

(KULDIP SINGH)
JUDGE

16.01.2018
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Whether speaking / reasoned
Whether Reportable:

Yes
No