

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

Civil Revision no.6210 of 2018

Date of Decision:17.09.2018

Balbir Singh

.....Petitioner

Vs.

Kuldeep Kaur and others

....Respondents

CORAM : HON'BLE MR.JUSTICE AMOL RATTAN SINGH

Present: Mr.Narinder Singh Swaitch, Advocate,
for petitioner.

AMOL RATTAN SINGH, J. (Oral)

Learned counsel for the petitioner submits that though undoubtedly the petitioner-defendant was late in filing the written statement, he seeks only one opportunity to now do the needful, with no evidence having been led by the respondents-plaintiff so far.

It is seen that the impugned order in this petition is dated May 30, 2018, which has been now challenged 3½ months later, which learned counsel submits is due to the fact that the petitioner unfortunately lost his wife last month, who had earlier been suffering from medical problems.

That being so, subject of course to the contention being correct that no evidence has been led by the plaintiff so far, and that the 90 days shown to be the stipulated period by the trial Court is actually not applicable to the State of Punjab (in terms of the Order 8 Rule 1 of the CPC as applicable to the States of Punjab and Haryana, and the UT, Chandigarh), though again obviously the written statement must be filed within a reasonable period, this petition is allowed while granting one opportunity to

the petitioner to file his written statement, within 10 days of today, upon payment of costs of Rs.5,000/- to the respondent-plaintiffs.

(AMOL RATTAN SINGH)
JUDGE

September 17, 2018.

dharamvir/dinesh

Whether speaking/reasoned : YES/NO
Whether Reportable : YES/NO