

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

CR No. 7339 of 2018

Date of Decision: 14.11.2018

M/s Somani Industries and another

.....Petitioners

Vs.

M/s Ambey Boilers & Fabricators

.....Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Jarnail S. Saneeta, Advocate,
for the petitioners.

AMOL RATTAN SINGH, J. (ORAL)

Pursuant to notice issued on 29.10.2018, Mr. Manasvi Sharma, Advocate, has put in appearance on behalf of the respondent and has filed his memorandum of appearance, which is taken on record.

By this petition, the petitioners challenge the order of the learned trial Court dated 25.09.2018 (Annexure P-4) by which due to non-filing of written statement despite two opportunities granted, the petitioners' defence has been struck off.

Having heard learned counsel for the parties and considering that the evidence of the respondent-plaintiff is still to commence, this petition is allowed, with the impugned order set aside.

Subject to the petitioners paying costs of Rs. 7,000/- to the respondent, he shall be allowed to file his written statement by the next date of hearing fixed before the trial Court, i.e. 17.11.2018.

November 14, 2018

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(AMOL RATTAN SINGH)

JUDGE

Whether speaking/reasoned

Yes

Whether Reportable

No.