

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

CR No. 7892 of 2018

Date of Decision: 20.11.2018

Naresh

.....Petitioner

Vs.

Smt. Kela Devi and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Jai Singh Yadav, Advocate,
for the petitioner.

AMOL RATTAN SINGH, J. (ORAL)

By this petition, the petitioner challenges the order of the learned Additional Civil Judge (Senior Division), Rewari, dated 03.07.2018, by which the defence of the petitioner, i.e. defendant no. 2 in the suit, has been struck off, though he had put in appearance for the first time on 24.04.2018 only.

Upon query learned counsel submits that even thereafter, nothing substantive has happened in the suit, because on 22.10.2018 an application under Order I Rule 10 of the CPC had been filed by another person, which is still to be heard on 02.01.2019.

That being so, subject to the aforesaid statement being correct, this petition is allowed even without issuing notice, with the impugned order set aside.

The petitioner would file his written statement within a period of three weeks from today, subject to payment of costs of Rs. 1,000/-.

November 20, 2018

nitin/dinesh

Whether speaking/reasoned

Whether Reportable

(AMOL RATTAN SINGH)

JUDGE

Yes

No.