

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No.455 of 2019(O&M)
Date of Decision: 21.01.2019

Kulbir Singh and anotherPetitioners

Versus

Randhir Singh and othersRespondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:Mr. V.K. Sandhir, Advocate
for the petitioners.

RAJ MOHAN SINGH, J.(Oral)

[1]. Petitioners have assailed the order dated 08.01.2019 passed by Civil Judge (Junior Division), Amritsar vide which application filed by defendants No.1 and 2/petitioners for filing written statement to the counter claim filed by defendant No.9 was dismissed.

[2]. Perusal of the record would show that counter claim was filed and the case was adjourned for filing written statement to the counter claim of defendant No.9 vide order dated 20.12.2013. Thereafter, defendants No.1 and 2/petitioners filed an application under Order 8 Rule 6-C read with Section 151

CPC for rejection of counter claim on 23.09.2014. The said application was dismissed by Civil Judge (Junior Division), Amritsar vide order dated 03.09.2015. Written statement to the counter claim was not filed since 20.12.2013. Both the parties have already concluded their evidence and the case is fixed for arguments.

[3]. At this stage, prayer for filing the written statement to the counter claim cannot be entertained, particularly when the suit itself was filed in the year 2005. Defendant No.9/counter claimant has already been cross-examined by defendants No.1 and 2/petitioners.

[4]. In view of aforesaid facts, no indulgence can be granted in favour of the petitioners. The present revision petition is accordingly dismissed.

21.01.2019

Prince

(RAJ MOHAN SINGH)
JUDGE

Whether reasoned/speaking
Whether reportable

Yes/No
Yes/No