

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

**CRR(F)-95-2019 (O&M)
Date of Decision: 20.3.2019**

Rohit Kataria

.....PETITIONER(s).

VERSUS

Sumedha Nagpal

.....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Dinesh Arora, Advocate
for the petitioner.

Mr. Virender Mandhan, Advocate,
for the respondent.

RAJ SHEKHAR ATTRI, J. (Oral)

The present revision petition is directed against the order dated 23.1.2019 whereby the defence of the petitioner was struck off.

Heard.

The petitioner appeared before the trial court on 6.12.2018 and sought an adjournment to file written statement. On his request, the case was adjourned to 22.1.2019 to file written statement. Even on that day i.e. 22.1.2019, the petitioner failed to file written statement and on his request, the case was again adjourned to 23.1.2019. Even on that day, the petitioner did not file the written statement and did not submit any cogent and acceptable reason for the same. Accordingly, his defence was struck off vide impugned order dated 23.1.2019.

Counsel for the petitioner submits that one last opportunity may be granted to the petitioner to file written statement.

Keeping in view the facts and circumstances of the case and in the interest of justice, the present petition is allowed subject to costs of ₹ 30,000/- to be paid to the respondent wife by way of bank draft before the trial court at the time of filing reply. The petitioner is granted one more opportunity to file written statement and reply to the application for interim maintenance within two weeks from the date of receipt of a certified copy of this order. In case reply to the application for interim maintenance is filed, that shall be disposed of within 10 days from the date of filing reply.

March 20, 2019
Paritosh Kumar

(RAJ SHEKHAR ATTRI)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes/No</i>
<i>Whether Reportable:</i>	<i>Yes/No</i>