

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

CR No.1864 of 2019

Date of Decision : 27.09.2019

Mukesh Kumar

..... Petitioner

Versus

Rekha Rani

..... Respondent

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Mr. R. C. Sharma, Advocate
for the petitioner.

Mr. Hitesh Kumar Sammi, Advocate
for the respondent.

SUDIP AHLUWALIA, J. (ORAL)

Perusal of the case status as available on the Court's website (Annexure P-3) shows that the Suit in question was disposed off on 09.07.2018, i.e., a week before the order striking off the Petitioner's defence was passed by the Ld. Trial Court. This was clearly an erroneous information placed on the server. The mistake appears to have been subsequently rectified by showing the Suit to have been restored as on 30.01.2019, according to Annexure P-6.

2. In such circumstances, the Petitioner cannot be faulted for having not filed his written statement when it appears that he had a *bona fide* belief that the Suit had been disposed off on 09.07.2019 itself.

3. In the given circumstances, his prayer for permission to contest the same is clearly justified. Therefore, the present revision petition is disposed off after setting aside the impugned orders dated

16.07.2018 and 30.01.2019 with liberty to the Petitioner to positively file his written statement on or before the next date of hearing already fixed in the Ld. Court below, which is stated to be 21.10.2019, after which the Court shall accept the same and proceed on to decide the Suit, in accordance with law.

(SUDIP AHLUWALIA)
JUDGE

September 27, 2019

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No