

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

**CR No.3081 of 2019(O&M)
Date of Decision: 06.09.2019**

**The Secretary Transport UT ChandigarhPetitioner
Versus
Pankaj Chandgothia and othersRespondents**

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present:Mr. Abhishek Sanghi, Advocate
for the petitioner.

Mr. Pankaj Chandgothia, Advocate
for respondents No.1 and 2.

RAJ MOHAN SINGH, J.

[1]. Petitioner has preferred this revision petition against the order dated 07.09.2018 passed by Civil Judge (Senior Division), Chandigarh, vide which defence of the petitioner was struck off.

[2]. Learned counsel for the petitioner stated that the written statement on behalf of defendant No.5 has already been filed.

[3]. Memorandum of parties before the trial Court is suggestive of the fact that the present petitioner has been impleaded as defendant No.4, whereas Chandigarh Transport Undertaking has been impleaded as defendant No.5. The interest of both the defendants is common.

[4]. Since the written statement on behalf of defendant No.5 has already been filed, therefore, the said written statement would suffice to serve the purpose of safeguarding the interest of the petitioner/defendant No.4 in the pending suit.

[5]. Learned counsel for respondents No.1 and 2 has no objection to the aforesaid course, however, he prays for imposition of adequate costs.

[6]. In view of consensus arrived at between the parties, written statement filed on behalf of defendant No.5 shall be considered on behalf of defendant No.4 as well. This revision petition is accordingly allowed, however subject to payment of costs of Rs.10,000/- to be paid to respondents No.1 and 2. Payment of costs shall be the condition precedent for granting indulgence by the trial Court in the aforesaid context.

06.09.2019

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**(RAJ MOHAN SINGH)
JUDGE**

Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No