

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CR No.3698 of 2019
Date of decision:30.05.2019

Dalraj Singh

... Petitioner

Vs.

Sushil Kumar

... Respondent

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Mr.Tarun Singla, Advocate
for the petitioner.

AMIT RAWAL J. (Oral)

Petitioner-defendant is aggrieved of the impugned order dated 12.02.2019 (Annexure P-4), whereby, his defence has been struck off on the ground of non-filing of written statement.

Mr. Tarun Singla, learned counsel appearing on behalf of the petitioner submits that in case, one opportunity is granted, subject to any terms and conditions which this Court deems fit, the written statement shall be filed on the date fixed before the trial Court. No prejudice would be caused to the respondent, who shall be compensated in terms of costs.

I have heard learned counsel for the petitioner and appraised the paper book.

No doubt, the petitioner has taken many adjournments to file written statement and could not file the same. However, in order to manifest and render justice, I deem it appropriate, to grant one opportunity to the

petitioner to file written statement on the date fixed before the Court below, subject to payment of costs of ₹5,000/- which shall be a condition precedent, failing which, the order under challenge shall come into operation.

I do not intend to issue notice of motion as it would unnecessarily cause expenditure upon the respondents to avail the services of lawyer. In order to defray the costs of litigation, the aforementioned order has been passed.

Accordingly, the revision petition stands allowed.

(AMIT RAWAL)
JUDGE

May 30, 2019
savita

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No