

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CR No. 4551 of 2019

Date of decision:-23.07.2019

Jyoti Parkash

.....Petitioner

vs.

Amarjit Singh

....Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr. Narinder S. Lucky, Advocate
for the petitioner.

RITU BAHRI, J.(Oral)

The petitioner has come up in revision against the order dated 07.01.2019 (Annexure P-2) whereby his defence has been struck off. A perusal of the order dated 07.01.2019 shows that cost of Rs.2,000/- was imposed for non-filing of written statement and defendant has already availed several opportunities and even on 07.01.2019, no-one appeared on behalf of defendant and he was ordered to be proceeded against exparte.

Learned counsel for the petitioner states that an FIR No. 0143 dated 21.08.2018 under Sections 323, 380, 451, 506 and 148 of IPC was registered against the petitioner and his wife and the petitioner has been granted bail by this Court on 22.07.2019 and in this backdrop he neither filed written statement nor paid Rs.2,000/- as cost within the stipulated time. However, he has now paid Rs.2,000/- as cost. He further states that no evidence of the plaintiff has been recorded so far.

Keeping in view the nature of litigation between the parties, revision is allowed and the order dated 07.01.2019 is set aside to the extent that defence of defendant is struck off and defendant is proceeded against exparte. The petitioner will file his written statement within two weeks

from the date of receipt of certified copy of this order subject to payment of Rs.10,000/- as costs to be deposited with District Legal Services Authority, Jalandhar.

23.07.2019
Divyanshi

(RITU BAHRI)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No