

CR No. 5034 of 2019

Date of Decision: 22.08.2019

Guru Nanak Tanker Transport and another

.....Petitioners

Versus

United India Insurance Company Ltd. and others

.....Respondents

CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAUR

Present: Mr. Himanshu Aggarwal, Advocate
for the petitioners.

NIRMALJIT KAUR, J. (ORAL)

The present revision petition has been filed for setting aside the order dated 11.01.2019 passed by the Civil Judge (Junior Division), Ludhiana (for short, the trial Court), vide which, the defence of the petitioners/defendant Nos.1 and 2 was struck off and for setting aside the order dated 10.07.2019, vide which, the application filed by the petitioners for setting aside the order dated 11.01.2019 was dismissed.

It is stated that the application of the petitioners for setting aside the order dated 11.01.2019 was erroneously dismissed on the presumption that they were proceeded against ex-parte only on 26.03.2019 and therefore, although the order dated 26.03.2019 was ordered to be set aside and they were allowed to join the proceeding, but the order dated 11.01.2019 striking off their defence still stand.

In view of the above, this Court deems it proper to allow the present revision petition without issuing notice as the same would only result in delaying the suit before the trial Court, by granting one last

opportunity to the petitioners/defendants to file their written statement. The said written statement be filed on or before the next date of hearing, subject to deposit of ₹15,000/- as costs.

(NIRMALJIT KAUR)
JUDGE

22.08.2019

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