

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

**C. R No. 6265 of 2019 (O&M)
Date of decision : 03.10.2019**

SureshPetitioner
versus

Nahar Singh ...Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Ashish Gupta, Advocate
for the petitioner.

RITU BAHRI, J. (Oral)

Challenge in this petition is to order dated 16.07.2019 (P-2) whereby defence of the petitioner has been struck off.

Brief facts of the case are that plaintiff/respondent filed a suit in the year 2017 for possession by way of specific performance with consequential relief of permanent injunction.

Learned counsel submits that the petitioner received summons and counsel appeared on 16.07.2019 and sought time to file written statement but on the same date his defence has been struck off on the ground that the petitioner has availed numerous opportunities to file written statement and statutory period of 90 days have expired.

Learned counsel for the petitioner has referred to order dated 04.01.2019 passed on the application filed by the petitioner.

Keeping in view the above order dated 04.01.2019 and the fact that the case is at initial stage, order dated 16.07.2019 (P-2) is set aside. The present revision petition stands allowed. The petitioner is granted one

effective opportunity to file written statement on or before 06.11.2019,
subject to deposit of Rs.5000/- before the District Legal Service Authority,
Gurugram.

03.10.2019

G.Arora

(RITU BAHRI)

JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>No</i>