

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

**RSA No.1087 of 2017 (O&M)  
Date of Decision:29.03.2019**

HDFC Bank Limited through its Managing Director

...Appellant(s)

**Versus**

Anita Behal

...Respondent(s)

**CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL**

**Present:** Mr.R.S. Randhawa, Advocate for the appellant.  
Mr.J.S.Toor, Advocate for the respondent.

**ANIL KSHETARPAL, J.**

The defendant-appellant is in the regular second appeal against the judgments passed by the courts below refusing leave to contest in a suit filed under Order 37 of the Code of Civil Procedure for recovery of Rs.11,93,096 on account of arrears of rent as well as arrears of electricity charges.

Learned counsel for the appellant has pointed out that various technical infirmities in the procedure were followed.

At this stage, learned counsel for the parties have arrived at a consensus. It has been stated that let the judgments passed by the courts below be set aside and leave to contest be granted to the appellant. It has been agreed that the defendant-appellant would file its reply/written statement to the plaint within 10 days of appearance before the learned trial court. It has further been agreed that both the parties shall be granted only two effective opportunities each to produce their entire evidence. Learned counsel for the parties have also agreed that their clients would not take any

unnecessary adjournment and they would cooperate in conclusion of the trial expeditiously.

Keeping in view the aforesaid joint statement, the appeal is disposed of after setting aside the judgments and decrees passed by the courts below.

The learned trial court is requested to make a sincere endeavour to dispose of the suit within six months from the date of appearance of the parties even if the court has to proceed on day to day basis.

The parties are directed to appear before the learned trial court on 10.04.2019.

**29.03.2019**  
**mks**

**(ANIL KSHETARPAL)**  
**JUDGE**

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No