

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR- 7639-2019

Date of Decision : 02.12.2019

Kulwinder KaurPetitioner

VERSUS

State Bank of India and othersRespondents

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

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

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MANJARI NEHRU KAUL, J.

Challenge in this revision petition is to the order dated 18.10.2019 passed by the learned Civil Judge (Jr. Divn.), Ludhiana, whereby the defence of defendant No.3/petitioner has been struck off as the defendant failed to file the written statement within 90 days and moved an application for production of the original documents and true copies thereof after a gap of more than seven months.

Learned counsel states that the petitioner was unable to file the written statement in time as he did not have copies of the documents on which the respondent-Bank was placing reliance and the production of those documents was crucial for filing the reply. Learned counsel thus prays for indulgence of this Court to grant one opportunity to file written statement.

In view of the above, this Court deems it proper to dispose of the present revision petition without going into the merits of the case and

without issuing notice of motion as it would only delay the proceedings.

Accordingly, this revision petition is allowed. The order dated 18.10.2019 passed by the learned Civil Judge (Jr. Divn.), Ludhiana, is set aside and one last opportunity is given to the petitioner to file the written statement subject to payment of ₹5000/- as costs which shall be deposited with the District Legal Services Authority, Ludhiana, within one week from the date of receipt of a certified copy of this order.

**(MANJARI NEHRU KAUL)
JUDGE**

02.12.2019

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Whether speaking/reasoned
Whether Reportable:

Yes / No
Yes / No