

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR-7665-2019

Date of Decision : 02.12.2019

Gurnam SinghPetitioner

VERSUS

State Bank of Patiala Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

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Present: Mr. H.P.S.Ghuman, Advocate
for the petitioner.

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MANJARI NEHRU KAUL, J.

Challenge in the instant revision petition is to the order dated 23.09.2019 passed by the learned Civil Judge (Sr. Divn.) Nabha whereby the defence of the defendant/petitioner has been struck off as the defendant did not file his written statement inspite of availing 07 effective opportunities to do the same.

Learned counsel for the petitioner contends that though the written statement had been prepared, however due to the mistake of the counsel it could not be filed within the specified period. Hence, a liberal view be taken.

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

CR-7665-2019

[2]

23.09.2019 passed by the learned Civil Judge (Sr. Divn.) Nabha is set aside and one last opportunity is granted to the petitioner to file his written statement subject to payment of ₹5000/- as costs which shall be deposited with the District Legal Services Authority, Patiala, before 10.12.2019, the date already fixed before the Court below.

**(MANJARI NEHRU KAUL)
JUDGE**

02.12.2019

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Whether speaking/reasoned
Whether Reportable:

Yes / No
Yes / No