

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

CR No. 606 of 2020

Date of Decision: 28.01.2020

Harbir Singh Dhillon

.....Petitioner

Vs.

Shamsher Singh and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Sushil Saini, Advocate, for the petitioner.

AMOL RATTAN SINGH, J. (ORAL)

By this petition, the petitioner challenges the order of the learned trial Court, dated 10.01.2019, by which his defence against defendant no. 1 has been struck off, on account of costs earlier ordered to be paid subject to which his written statement would be taken on record, not having been paid.

[It is to be noticed that in the typed copy of the said order, as has been annexed as Annexure P-1 with this petition, the petitioner has been erroneously shown to be defendant no. 2, though in the certified copy of the said order, he is shown to be defendant no. 1].

Since the next date of hearing before the trial Court is shown to be 11.02.2019, with defendants no. 2 and 3 still not served, even without issuing notice in this petition, the petition is allowed, subject to the petitioner paying a cost of Rs. 7,000/- and filing his written statement, along with such costs, within a period of one week from today.

January 28, 2020

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Whether speaking/reasoned
Whether Reportable

(AMOL RATTAN SINGH)

JUDGE

Yes
No.