

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

118)

CR no.708 of 2020

Date of Decision: 31.01.2020

Harpreet Kaur

...Petitioner

Versus

Mohinder Kaur and others

....Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. R.K. Singla, Advocate, for the petitioner.

Amol Rattan Singh, J. (Oral)

Learned counsel for the petitioner submits that though the petitioner undoubtedly was remiss even in the one month time extension given to her to file the written statement between 18.09.2019 and 17.10.2019, thereafter the matter was not actually taken up on 04.12.2019, with it having been taken up instead on 03.12.2019, as the learned Presiding Officer was proceeding on leave the next day, with hearing adjourned to 28.01.2020, for evidence of the plaintiff-respondents.

He further submits that, however, the petitioner actually on 19.10.2019, i.e. two days after the impugned order passed, had filed an application seeking permission to contest the suit and to file a written statement, with a prayer made for recalling of the order dated 17.10.2019, which application has still to be decided by that court, as is obvious from its order dated 28.10.2019.

In view of the above, this petition is disposed of with a direction to the trial court to first decide the application filed by the petitioner on 19.10.2019, seeking permission of that court to contest and file

the written statement; and till the decision on that application, further proceedings in the suit itself shall remain stayed.

31.01.2020
vcgarg/dinesh

(AMOL RATTAN SINGH)
JUDGE

Whether reasoned/speaking: Yes
Whether reportable: No