

CM No. 3577-CII of 2021 in/and
C.R. No. 677 of 2021 (O&M)
Date of Decision: 25.08.2021

Pawan Kumar Goyal and another

....Petitioners

VS

Ranbir Singh

....Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Abhimanyu Singh, Advocate
for the petitioners

SUDHIR MITTAL, J. (Oral)

CM-3577-CII-2021

This application has been filed for placing on record Annexures P-6 to P-9.

Application is allowed and Annexures P-6 to P-9 are taken on record.

C.R. No. 677 of 2021

The petitioners have approached this Court because their defence has been struck off vide order dated 31.10.2019 (Annexure P-5).

It is submitted that order of striking off defence is harsh as only two opportunities were given for filing of written statement. Written statement shall certainly be filed on or before the next date of hearing subject to payment of costs as may be determined by this Court.

Considering the nature of the order being passed, the revision petition can be decided without issuance of notice of motion.

Accordingly, the revision petition is disposed of by setting aside impugned order dated 31.10.2019 (Annexure P-5) so far as it relates to striking off the defence of the petitioner-defendants. They are permitted to file the written

statement on or before the next date of hearing subject to payment of costs of Rs. 5000/- to be paid to the plaintiff. No further opportunity shall be granted.

(SUDHIR MITTAL)
JUDGE

25.08.2021
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Whether speaking/reasoned
Whether Reportable :

Yes/No
Yes/No