

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

**CM-3796-CII-2021 in/and
Civil Revision-1479-2019
Date of decision: - 06.04.2021**

Pola Ram and another

....Petitioners

Versus

Ram Sarup and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Namit Khurana, Advocate
for the non-applicants/petitioners.

Mr. S.S. Dinarpur, Advocate
for applicant-respondent No.1.

HARSIMRAN SINGH SETHI, J. (ORAL)
CM-3796-CII-2021

In the present application, the prayer of applicant-respondent No.1 is for preponing the date of hearing of Civil Revision-1479-2019, which now stands adjourned to 03.08.2021.

Learned counsel appearing on behalf of the applicant-respondent No.1 submits that he has no objection in case the Civil Revision filed by the petitioners is allowed and they are granted another opportunity to file the written statement.

Notice of the application to the learned opposite counsel.

Mr. Namit Khurana, Advocate, accepts notice on behalf of

the non-applicant/petitioner and raises no objection for the grant of prayer as raised in the present application.

In view of the above, the present application is allowed and the hearing of the main Civil Revision is preponed from 03.08.2021 to today.

Civil Revision-1479-2019

In the present revision petition, the order dated 30.11.2018 (Annexure P-3) is under challenged, by which, the defence of the petitioners was struck off by the learned trial Court.

Learned counsel for the petitioners submits that the petitioners be granted one last opportunity to file the written statement even if the same is to be given with the imposition of the costs.

Learned counsel appearing on behalf of respondent No.1 submits that he has the instructions to submit before this Court that respondent No.1 has no objection in case the petitioners are given another opportunity to file the reply, as the pendency of the present revision petition is delaying the finality of the suit pending before the learned trial Court, which is causing prejudice to the respondents.

Keeping in view the facts and circumstances of the present case, especially that the respondents are raising no objection for the grant of the prayer of the petitioners as raised in the present revision petition so as to grant him another opportunity to file written statement, in the interest of justice, the impugned order dated 30.11.2018 is set aside and the petitioners are granted one more opportunity to file the written statement.

Learned counsel for the petitioners undertakes that the written statement will be filed by the petitioners within a period of three weeks from today positively.

In case, the written statement is filed by 30.04.2021, the trial Court is directed to take the same on record and thereafter proceed with the suit in accordance with law.

Learned counsel for respondent No.1 submits that a direction be issued to the learned trial Court to decide the civil suit in a time bound manner.

Keeping in view the facts & circumstances as well as the present prevailing situation, which has arisen due to the pandemic of Covid-19, this Court is sure that all efforts will be made by the learned trial Court to decide the suit as expeditiously as possible.

In view of the above, the present civil revision petition is allowed in above terms. As the proceedings in the civil suit has been delayed due to the act on the part of the petitioners, allowing of the present revision petition is subject to the costs of Rs.10,000/- to be deposited with 'Prabh Asra, Bank A/c No.014894600000970, Yes Bank Branch, SCO No.151-152, Sector 9-C, Chandigarh'.

**(HARSIMRAN SINGH SETHI)
JUDGE**

April 06, 2021
naresh.k

Whether reasoned/speaking?	Yes
Whether reportable?	No