

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

CR-192-2022 (O&M)

Date of decision: 07.04.2022

Ram Gopal

....Petitioner

Versus

Desh Deepak and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Ravish Bansal, Advocate for the petitioner

Mr. Surinder Garg, Advocate for respondent no.1 and 2

ANIL KSHETARPAL, J (Oral)

On 02.02.2022, the following order was passed by this

Court:-

“Inter alia, the learned counsel representing the petitioner contends that the trial Court has erred in refusing the petitioner, who is the defendant in a pending suit, to file reply to the amended plaint. He further contends that the suit was for grant of decree of possession by way of redemption of the mortgage of a shop filed by the respondent No.1-Desh Deepak, whereas the respondent No.2-Vishaw Bandu was impleaded as a proforma defendant No.3. Subsequently, the respondent No.2-Vishaw Bandu was permitted to be transposed as plaintiff vide an order dated 16.12.2019. However, the petitioner was refused permission to file a fresh written statement to the amended plaint.

Notice of motion for 18.02.2022.

Process dasti only.

The petitioner shall have the liberty to serve the plaintiffs through their counsel before the trial Court.”

Learned counsel representing the parties, after arguing at some length, have come to a consensus. They jointly pray that the order

in question be set aside, with liberty to the trial court, to pass a fresh order, after taking into consideration all the objections.

Ordered accordingly.

All the pending miscellaneous applications, if any, are also disposed of.

07.04.2022

rekha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE