

In the High Court of Punjab and Haryana, at Chandigarh

Civil Revision No. 328 of 2022

Date of Decision: 02.02.2022

Gram Panchayat, Village Saido Patti

... Petitioner(s)

Versus

Bikramjit Singh and Another

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Harinder Sharma and
Mr. Ajay Kumar Chaudhary, Advocates
for the petitioner(s).

Anil Kshetarpal, J.

1. The petitioner-Gram Panchayat of village Saido Patti, Tehsil and District Hoshiarpur, has filed the present revision petition under Article 227 of the Constitution of India with a prayer to set aside the order dated 14.12.2021, passed by the Civil Judge (Junior Division), Hoshiarpur, striking off its defence for not filing the written statement within the prescribed time period of 90 days.

2. The respondents filed the suit for grant of decree of permanent injunction restraining the Gram Panchayat from carving out the playground in the property of the plaintiffs and changing the nature of the suit property and also not to interfere into the peaceful possession of the suit land, is pending.

3. The learned counsel representing the petitioner contends that an application under Order XI Rule 14 CPC was disposed of on 27.02.2020

and the case was adjourned for filing the written statement on 09.04.2020. He submits that in the month of March 2020, due to lockdown on account of surge in a number of cases of COVID-19, the proper proceedings before the Court did not take place. He further submits that the suit was being adjourned in routine. He further submits that the petitioner is prepared to file its written statement before the next date of hearing i.e. 17.02.2022. He has also informed the Court that the plaintiffs have not started recording their evidence.

4. Due to the increase in a number of cases of COVID-19, the normal working of the Courts during this period has suffered a setback. The Courts have been unable to work on a regular basis. In fact, the entire world was adversely affected.

5. Keeping in view the aforesaid facts, the present revision petition is allowed. The petitioner is permitted to file its written statement in the trial Court before the next date of hearing i.e. 17.02.2022 with a copy, in advance, to the learned counsel representing the plaintiffs.

6. Since this order has been passed without issuing notice to the plaintiffs. They shall have the liberty to file an application for recall, if so advised.

(Anil Kshetarpal)
Judge

February 02, 2022
“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No