

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR NO.8692/2017

Date of decision:23/11/2022

Ranjana and others

.....Petitioner

Vs.

Sat Guru Kabir Mandir Prabhandhak Committee and another

.....Respondents

CORAM HON'BLE MS. JUSTICE NIDHI GUPTA

Present:- Mr.Vishal Munjal,Advocate for the petitioner.

Nidhi Gupta,J.

This is a revision petition for quashing the order dated 21.9.2017 (Annexure P-2) passed by Civil Judge (Jr.Div.)Pathankot whereby defence of the petitioners/defendants, 1,2 and 4 has been struck off.

Respondents have not put in appearance despite service. Even on the last date of hearing no one had appeared on behalf of the respondents.

At the very outset, learned counsel for the petitioners submits that grave injustice will be visited upon the petitioners if their defence is allowed to be struck off and therefore prays that one effective opportunity may be granted to the petitioners to file their written statement.

A perusal of the record shows that four opportunities-on 15.3.2017, 23.5.2017, 2.8.2017, and 29.8.2017- were granted to the petitioners/defendants for filing written statement. It is a fact that no last opportunity was granted by the trial Court and their defence was struck off vide order dated 21.9.2017.

In the interest of justice, one last opportunity is granted to the petitioners/ defendants to file their written statement. The trial Court shall fix a date for this purpose on or before which the petitioners shall file their written statement. However, this will be subject to payment of Rs.5000/- as costs to the opposite party.

Disposed of in above terms.

Pending application(s),if any, also stand disposed of.

23.11.2022.
Joshi

(Nidhi Gupta)
Judge

Whether speaking/reasoned
Whether reportable

Yes
Yes/No