

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

120(2)

CR-2337-2019(O&M)

Date of decision: 11.07.2022

JASWINDER SINGH @ JASSI

..Petitioner

Versus

JOGINDER KAUR AND ANR.

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. G.S. Kaura, Advocate
for the petitioner.

Mr. Aditya Dasaur, Advocate
for respondents.

ANIL KSHETARPAL, J(Oral)

Admittedly, on the day the defence of defendant No.1 was struck off on the ground that he has failed to file the written statement, the same was filed. The Court has already taken it on record but refused consider the same.

In the considered view of this Court, the trial Court has taken a very myopic view of the matter. Once, the written statement has been filed, which is part of the record, the same cannot be refused to be taken into consideration while deciding the suit. Hence, the order under challenge is set aside.

The trial Court is requested to take into consideration the written statement which has already been filed, while deciding the case.

With these observations, the revision petition stands disposed of.

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

July 11th, 2022

**(ANIL KSHETARPAL)
JUDGE**

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Whether speaking/reasoned

: Yes/No

Whether reportable

: Yes/No