

In the High Court of Punjab and Haryana, at Chandigarh

Civil Revision No. 2057 of 2022

Date of Decision: 23.05.2022

M/s N.K.Trading Company through its partners and Others

... Petitioner(s)

Versus

Ajit Singh alias Jeet Singh and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Sourabh Singla, Advocate
for the petitioner(s).

Anil Kshetarpal, J.

1. The defendants, in a suit for rendition of accounts, assails the correctness of the order passed by the trial Court striking off their defence for non filing of the written statement.
2. The learned counsel representing the petitioners contends that the Court, while dismissing the application under Order VII Rule 11 CPC, has also struck off the defence of the petitioners as the written statement was not filed within a period of 120 days from the date of appearance. He submits that he does not assail the correctness of the remaining part of the order.
3. Keeping in view the aforesaid facts, the order under challenge is modified. The petitioners are granted one last opportunity to file the written statement within a period of 5 days from today, which shall be taken on record, subject to costs of ₹5,000/-.

4. Since this order has been passed without issuing any notice, therefore, the plaintiffs shall have liberty to file an application for revival.

(Anil Kshetarpal)
Judge

May 23, 2022
“DK”

Whether speaking/reasoned :Yes/No

Whether reportable : Yes/No