

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

CR-2988-2022 (O&M)

Date of decision: 03.08.2022

Shriram Transport Finance Company Ltd.

....Petitioner

Versus

Jagjit Singh and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

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

ANIL KSHETARPAL, J (Oral)

In a suit for grant of decree of permanent injunction, the defence of defendant no.2 has been struck off on account of non-filing of the written statement, within the prescribed time. Defendant no.2 prays for one opportunity to file the written statement.

Learned counsel representing the petitioner has brought to the notice of the Court that the case is being adjourned only to consider the application for grant of temporary injunction. Hence, no substantive proceedings have taken place after the impugned order was passed on 08.03.2022.

The period prescribed under the Code of Civil Procedure, 1908, for filing the written statement has been held to be directory. In the facts of the case, let the trial court permit defendant no.2 to file his written statement before the next date of hearing before it i.e 09.09.2022.

Since this order has been passed without issuing notice to the respondents (plaintiffs), they will be at liberty to file an application for recall, if required.

Disposed of.

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

03.08.2022
rekha

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No