

In the High Court of Punjab and Haryana, at Chandigarh

Civil Revision No. 1931 of 2021

Date of Decision: 29.08.2022

Kashmir Singh

... Petitioner(s)

Versus

Hardev Singh

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Preetwinder Singh Dhaliwal, Advocate
for the petitioner(s).

Anil Kshetarpal, J.

1. Despite the service of notice of the revision petition, the respondent has not entered into appearance.

2. The petitioner is a defendant in the plaintiff's suit for possession filed under Section 6 of the Specific Relief Act, 1963 for restoration of possession. The petitioner's defence has been struck off for non-filing of the written statement, within the period of 60 days. The aforesaid provision has been held to be directory. Undoubtedly, the Court is required to make a sincere endeavour for expeditious disposal of the summary proceedings. However, the Court is required to maintain equilibrium between the speedy disposal and grant of sufficient opportunities to the parties to prosecute or defend their case.

3. Keeping in view the aforesaid facts, the order under challenge is modified. If the petitioner files the written statement along with the cost of

₹5,000/- within a period of one week from today, the same shall be treated to

have been filed within time. The costs shall be paid to the plaintiff.

4. With the observations made above, the present revision petition is disposed of.

(Anil Kshetarpal)
Judge

August 29, 2022
“DK”

Whether speaking/reasoned :Yes/No

Whether reportable : Yes/No