

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

204

CRM-M-35406-2019

Date of decision :-31.03.2022.

Satvir Singh

...Petitioner

Versus

Mandeep Kaur and another

...Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Gaurav Sharma, Advocate for the petitioner.

Mr. Varun Goyal, Advocate for the respondents.

SUVIR SEHGAL, J.

Vide the instant petition filed under Section 482 of the Code of Criminal Procedure, 1973, the petitioner has sought quashing of order dated 03.10.2018, Annexure P-1, passed by SDJM, Dhuri in case MNT No.32 of 25.04.2017 whereby defence of the petitioner has been struck off and order dated 05.08.2019, Annexure P-2, passed by Additional Sessions Judge, Sangrur, dismissing the revision petition filed against the said order.

While issuing notice to the respondents on 28.08.2019, this Court directed the petitioner to pay Rs.25,000/- to respondent No.1 on her causing appearance. The trial Court was directed to adjourn the case beyond the date fixed by this Court. Vide order dated 14.11.2019, matter was referred the Mediation and Conciliation Centre of this Court, but proceedings before the Mediation Centre have remained inconclusive as the Centre remained closed due to the outbreak of the pandemic.

Counsel representing the parties have submitted that there is no possibility of settlement between the parties. Payment of Rs.25000/-, in cash, has been made by the petitioner, who is present in person along with his counsel, to the counsel representing the respondents.

Heard counsel for the parties.

Although it has been submitted by counsel for the petitioner that the defence was struck off because the petitioner was provided with the services of a counsel, who did not pursue the matter diligently, but without going into the same, this Court is of the view that interest of justice would be served in case the petitioner is granted one opportunity to file his reply and the respondents are adequately compensated by way of cost considering the fact that the matter has remained pending before this Court for the last more than 2 ½ years.

In view of the above, the impugned order dated 03.10.2018, Annexure P-1, as well as the revisional order dated 05.08.2019, Annexure P-2, are set aside. Petitioner is granted one opportunity to file his reply within four weeks from today subject to payment of cost of Rs.10,000/- to the respondents, which will be a condition precedent to the grant of opportunity by the trial Court.

Petition is disposed of.

31.03.2022
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(SUVIR SEHGAL)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No