

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

CR No.3790 of 2022 (O&M)

Date of decision: 12.09.2022

Geeta

..... Petitioner

versus

Pushpa and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. Abhishek Khullar, Advocate with
Mr. Harinder Pal Singh, Advocate
for the petitioner.

TRIBHUVAN DAHIYA J. (ORAL)

CM-11603-CII-2022

For the reasons stated in the application, leave is granted.

Application stands disposed of.

CR No.3790 of 2022

This revision petition under Article 227 of the Constitution of India has been filed against the impugned order dated 05.05.2022 (Annexure P-2) whereby, on account of non-filing of written statement by petitioner-defendant No.1 and not paying the cost of Rs.1000/- imposed by the trial Court, her defence has been struck off.

2. Learned counsel for the petitioner argues that the petitioner-defendant No.1 is a widow having a child, and the only bread earner for the family. She earns her living by doing daily wage. It is only on that account, she was unable to file written statement within

time and pay the cost. He undertakes that in case one opportunity is granted to her, written statement on her behalf will be filed as well as cost of Rs.1000/- imposed by the trial Court will also be paid.

3. Keeping in view the above facts and circumstances, specially the fact that the petitioner-defendant No.1 is a daily wager, the order of the trial Court dated 05.05.2022 (Annexure P-2) is set aside to the extent defence of petitioner-defendant No.1 has been struck off. One opportunity is granted to her to file written statement and pay the cost imposed by the next date of hearing, i.e., 13.09.2022.

4. It is made clear that no further opportunity will be granted by the trial Court for the purpose.

5. The petition stands disposed of in the above terms.

(TRIBHUVAN DAHIYA)
JUDGE

12.09.2022
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No