

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH
Sr. No.: 127

Civil Revision No.4230 of 2022 (O & M)
Date of Decision: September 29, 2022

Manmohan Singh

..... PETITIONER(S)

VERSUS

Dr. Jaspal Singh

..... RESPONDENT(S)

. . .

CORAM: **HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA**

. . .

PRESENT: - Mr. Amit Kumar Saini, Advocate, for the petitioner.

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Tribhuvan Dahiya, J (Oral)

This revision petition has been filed under Article 227 of the Constitution of India for setting aside the trial court order dated 06.09.2022 (Annexure P-14) whereby the petitioner's right to file written statement has been struck off.

2. Learned counsel submits that the petitioner-tenant is 65 years of age and is a diabetic patient. By referring to the medical certificate (Annexure P-1), learned counsel submits that only on account of his worsening diabetic condition to dangerous levels, written statement could not be filed on the last date before the trial court, and prays for only one last opportunity to file the same.

3. In view of the aforesaid circumstances and in the interests of justice, order dated 06.09.2022 is set aside to the extent it strikes off petitioner-tenant's right to file written statement. One last opportunity is

granted to the petitioner to file written statement on the date already fixed before the trial court, i.e., 01.10.2022, subject to payment of ₹ 20,000/- as costs to the respondent. It is made clear that no further opportunity shall be granted for the purpose.

4. Disposed of accordingly.

(Tribhuvan Dahiya)
Judge

September 29, 2022
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Whether Speaking/ Reasoned:
Whether Reportable:

Yes/ No
Yes/ No