

**IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH**  
Sr. No.: 121

**Civil Revision No.4379 of 2022**  
**Date of Decision: October 12, 2022**

Sumeet Kaur @ Sumit Kaur

..... PETITIONER(S)

*VERSUS*

Rajiv Bhatia @ Rajiv Kumar

..... RESPONDENT(S)

. . .

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

. . .

**PRESENT:** - Mr. G.S. Bawa, Advocate, for the petitioner.

. . .

**Tribhuvan Dahiya, J (Oral)**

This revision petition has been filed under Article 227 of the Constitution of India for setting aside order dated 16.12.2021 (Annexure P-2) whereby petitioner's defence was struck off, and also order dated 08.09.2022 (Annexure P-5) vide which his application seeking permission to file written statement has been dismissed.

Learned counsel for the petitioner-defendant submits that written statement could not be filed within time since the defendant was not informed by his counsel. It was only after change of counsel before the trial Court that written statement could be prepared. However, before it could be filed, his defence was struck off by the trial Court vide order dated 16.12.2021. Learned counsel further submits that delay in filing the written statement is *bona fide* and unintentional.

In view of the above facts and circumstances, and in the interests of justice, this Court deems it appropriate to grant one last opportunity to the petitioner to file written statement within a week from today, on payment of ₹ 10,000/- as costs to the respondent.

Ordered accordingly.

Impugned order dated 16.12.2021 is set aside to the extent above stated. It is made clear that no further opportunity shall be granted for the purpose.

Disposed of.

**(Tribhuvan Dahiya)**  
**Judge**

**October 12, 2022**  
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Whether Speaking/ Reasoned:  
Whether Reportable:

Yes/ No  
Yes/ No