

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH
Sr. No.: 119

Civil Revision No.4862 of 2022
Date of Decision: October 31, 2022

Ombir Singh

..... PETITIONER(S)

VERSUS

Prem Singh & others

..... RESPONDENT(S)

. . .

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

. . .

PRESENT: - Mr. Mukesh Yadav, Advocate, for the petitioner.

. . .

Tribhuvan Dahiya, J (Oral)

This petition has been filed under Article 227 of the Constitution of India for setting aside order dated 22.04.2022 (Annexure P-2), whereby defence of petitioner-defendant No.1 has been struck off for non-filing of written statement.

Learned counsel contends that petitioner-defendant No.1 was served on 20.09.2021, and the case was adjourned to 14.12.2021, and thereafter, to 19.01.2022. Written statement could not be filed due to the Pandemic in those days, and resultant inability of the defendant to come to the Court or contact his counsel for that purpose.

In view of the aforesaid and in the interests of justice, order dated 22.04.2022 is set aside to the extent defence of petitioner-defendant No.1 has been struck off. He is afforded one last opportunity to file written statement within one week from today subject to payment of ₹10,000 as

costs to the plaintiff. It is made clear that no further opportunity shall be granted to the petitioner, for the purpose.

Disposed of.

(Tribhuvan Dahiya)
Judge

October 31, 2022
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Whether Speaking/ Reasoned:
Whether Reportable:

Yes/ No
Yes/ No