

CR-6064-2022

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

CR-6064-2022

Date of Decision: December 20, 2022

Madan Singh

...Petitioner

Versus

Satinder Singh

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. K.S. Brar, Advocate for the petitioner.

DEEPAK GUPTA, J.(Oral)

Defence of the petitioner (defendant before the Trial Court)

has been struck off, vide impugned order dated 11.11.2022 (Annexure P-1), in a suit for possession by way of specific performance filed by the plaintiff-respondent, against which this revision is filed.

It is contended by learned counsel that most of the period was taken by the Corona due to which written statement could not be filed in time. He further submits that petitioner requires only one opportunity to file written statement.

Perusal of the impugned order reveals that defence of the petitioner-defendant was to be struck off by Trial Court under compelled circumstances, when he did not file the same despite availing as many as seven opportunities including last opportunity. So much so, even the previous adjournment cost of ₹700/- was not paid.

Though, conduct of the petitioner does not permit to allow him to file the written statement but in the interest of justice, one opportunity is given to him to file written statement, subject to cost of ₹20,000/- to be paid by him to plaintiff-respondent by way of a demand

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draft. Apart from this, he has to pay the adjournment cost which was imposed by the Trial Court.

Revision is disposed of accordingly.

This order has been passed without serving notice to the respondent in order to avoid any delay in the matter. However, if the respondent is aggrieved by this order, he can approach this Court.

December 20, 2022

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(DEEPAK GUPTA)
JUDGE

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