

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

112

Civil Revision No. 6135 of 2022 (O & M)

Date of decision :-22.12.2022

Navjot Kumar

.....Petitioner

Versus

Surinder Singh

.....Respondent

CORAM:- HON'BLE MS. JUSTICE NIDHI GUPTA

Present:- Mr. B.S. Aulakh, Advocate
for the petitioner.

NIDHI GUPTA J. (Oral)

Prayer in this petition is for setting aside the impugned order dated 23.09.2022 (Annexure P-1) passed by the Additional Civil Judge (Sr. Divn.), Gidderbaha, in Civil Suit No.148 of 2022, titled as 'Surinder Singh vs. Navjot Kumar', vide which the defence of the petitioner/defendant was struck off.

Perusal of the record reveals that the petitioner/defendant had put in appearance before the trial Court on 18.5.2022. However, the learned counsel for the petitioner/defendant before the trial Court had not filed the written statement even by 24.08.2022. As the petitioner/defendant had changed his counsel before the trial Court, time was again granted to him on 21.09.2022 for filing of written statement. However, vide order dated 23.09.2022, because of non-filing of the written statement, the defence of the petitioner/defendant was struck off.

Learned counsel for the petitioner prays that one effective opportunity be granted to him to file the written statement before the trial Court in the aforementioned Civil Suit.

In view of the above, the learned trial Court is directed to grant one effective opportunity to the petitioner/defendant to file the written statement, however, subject to payment of costs of Rs.1000/-.

Disposed of.

Pending application(s), if any, stands disposed of.

December 22, 2022

Vijay Asija

(NIDHI GUPTA)
JUDGE

Whether speaking/reasoned Yes / No

Whether Reportable Yes / No