

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

CR-1973-2023 (O&M)

Date of decision: 11.05.2023

Sunita

...Petitioner

Versus

Kamlesh and others

...Respondents

CORAM: HON'BLE MR.JUSTICE H.S. MADAAN

Present: Mr. A.K. Yadav, Advocate for the petitioner.

Mr. Abhishek Yadav, Advocate for respondent No.1.

H.S. MADAAN, J. (Oral)

1. Since defendant No.1 besides defendants No.22 to 29 had failed to file written statement despite availing of several opportunities spanning over a period of more than 90 days, the trial Court of Addl. Civil Judge (Sr. Divn.) Rewari, vide order dated 17.02.2023 struck off defence of such defendants.

2. Now defendant No.1 has challenged that order by way of filing the present revision petition.

3. After hearing counsel for the parties and going through the record, I find that no illegality or infirmity can be found with the impugned order. The trial Court was justified in striking off defence of defendants No.1, 22 to 29. However, in the interest of justice to ensure that defendant No.1 gets an opportunity to contest the suit on merits rather than closing the doors of contest upon her, one more opportunity is

granted to her to file written statement subject to payment of Rs.10,000/- as costs. A demand draft in the sum of Rs.10,000/- be got prepared by the petitioner in the name of plaintiff/respondent No.1 Kamlesh which would be handed over to her/her counsel in the Court and only then petitioner would be given opportunity to file written statement. In case of non-compliance, this revision petition is to be taken as dismissed.

The revision petition stands disposed of accordingly.

11.05.2023

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(H.S. MADAAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No