

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

CR-1997-2023 (O&M)
Date of decision: 17.05.2023

Punjab State Power Corporation Ltd, Patiala
...Petitioner
Versus

Arvinder Singh
...Respondent

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

Present: Mr. A.S. Kang, Advocate for the petitioner.
Respondent in person.

H.S. MADAAN, J. (Oral)

1. Being impugned in this revision petition is the orders dated 21.10.2022 whereby the application for setting aside order dated 17.11.2021 was dismissed by the trial Court of Civil Judge (Sr. Divn.) Patiala vide which the defence of defendant-Punjab State Power Corporation Ltd, Patiala had been struck off on account of non-filing of written statement within a period of 90 days.
2. Feeling aggrieved, the defendant has approached this Court by way of filing the present revision petition, notice of which was given to the respondent/plaintiff who has put in appearance in person.
3. After going through the impugned order and hearing learned counsel for the petitioner/defendant and respondent/plaintiff, I find that though there is no illegality or infirmity in the impugned order but then an opportunity should be given to the defendant to contest the case of

plaintiff, though, subject to payment of costs. Therefore, revision petition is disposed of inasmuch as the trial Court is directed to allow the defendant/revision petitioner to file written statement on the next date of hearing said to be fixed in the trial Court as 31.05.2023, subject to the revision petitioner/defendant paying a sum of Rs.10,000/- to the plaintiff. The revision petitioner/defendant shall get a demand draft in that amount prepared in the name of plaintiff and would hand over the same to the plaintiff/his counsel and only then the defendant would be allowed to file the written statement and join the proceedings. In case of default, this revision petition would be taken to be dismissed.

17.05.2023
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(H.S. MADAAN)
JUDGE

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