

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

234

2023:PHHC:060748

CR-2411-2021 (O&M)

Date of decision: 28.04.2023

**Gram Panchayat of Village Ganga Ablu Ki
Versus**

..Petitioner (s)

Harpreet Singh and others

..Respondent(s)

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: Mr. Ripudaman Singh, Advocate for the petitioner.

NIDHI GUPTA, J (Oral)

Prayer in this Revision Petition is for setting aside order dated 09.03.2021 passed by the learned Civil Judge, Junior Division, Bathinda vide which defence of defendant-petitioner has been ordered to be struck off.

Learned counsel for the petitioner submits that due to covid-19 pandemic petitioner could not duly assist his counsel to file written statement within prescribed period. At the very outset, learned counsel submits that one effective opportunity may be granted to the petitioner to file written statement and complete his evidence, as grave injustice will be caused to him if he is not permitted to do so.

Mr. Judgepreet Singh Warring, Advocate, puts in appearance on behalf of respondents No.2, 4, 6 and 7 and files his power of attorney, which is taken on record. Learned counsel has opposed the prayer by submitting that sufficient opportunities have already been granted to the petitioner/defendant.

After hearing learned counsel for the parties and keeping in view the above facts as canvassed by ld. Counsel for the petitioner, this petition is allowed and impugned order dated 09.03.2021 is set aside. The learned Court below is directed to grant one effective opportunity to the petitioner to file written statement and complete his evidence, however subject to payment of Rs.5000/- as costs to the defendants-respondents.

Disposed of as above. Pending application, if any, also stands disposed of.

**(NIDHI GUPTA)
JUDGE**

28.04.2023

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No