

113.

2023:PHHC:160324

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

CR-4796-2023

Date of decision: 14.12.2023

COMMODORE VIJAY KUMAR GAUTAM(RETD) Petitioner

Versus

BHUPINDER SINGH AND OTHERS Respondents

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH

Present: Petitioner in person.

GURBIR SINGH, J. (Oral)

Challenge in this revision petition filed under Article 227 of the Constitution of India is to the order dated 06.05.2023 (Annexure P-1) whereby the application filed by the petitioner under Order VIII Rule 1 CPC for closing opportunity to the respondents-defendants to file written statements and striking off their defense, has been dismissed.

It is contended that the respondents-defendants took many adjournments and he had to attend the court of every hearing, but no cost has been imposed upon them.

While dismissing the application of the petitioner, the trial Court observed that written statement has already been filed by the respondents-defendants No.1 to 3 on 03.05.2023 and the delay has been caused due to pendency of applications.

Without commenting on the merits of the case, this petition is dismissed. However, as regard the contention of the petitioner that cost was required to be imposed on other party, the petitioner is free to move an application before the concerned court for claiming the cost.

If such an application is moved, the same be decided in accordance with law expeditiously but not later than one month of filing the said application.

(GURBIR SINGH)
JUDGE

December 14, 2023

sanjeev

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No