



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

131

CR-376-2024 (O&M)

Date of decision : 01.08.2024

Sanjeev Kumar Gupta and another

..... Petitioners

versus

Ramesh Chander Narang and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. Sagar Sharma, Advocate
for the petitioners.

Mr. Mohit, Advocate
for respondent No.1.

Ms. Manju Goyal, Advocate
for respondents No.3 to 5.

PANKAJ JAIN, J. (Oral)

1. By way of present petition, challenge has been laid to the order dated 24.04.2023 (Annexure P-2) passed by Civil Judge (Sr. Division), Panipat.
2. Petitioners herein are the defendants in Civil Suit No.CS-556-2020 titled as 'Ramesh Chander and another vs. Sanjeev Kumar and others'. By way of impugned order, they have been precluded from filing written statement in terms of Order VIII Rule 1 of Code of Civil Procedure, after having failed to file written statement despite availing 12 effective opportunities. Counsel for the respondents-plaintiffs at the outset submit that since suit is getting delayed, they have no objection if the petitioners-defendants are allowed to file written statement subject to payment of heavy costs.



3. Faced with the situation, counsel for the petitioners submits that respondents No.3 to 5 have already filed written statement and the petitioners-defendants wish to adopt the same.
4. In view of aforesaid statement made by the counsels, the present petition is disposed off. Petitioners are allowed to adopt the written statement filed by respondents No.3 to 5 who are defendants No.2, 4 and 5, subject to payment of Rs.10,000/- cost to be paid to the plaintiffs by the next date of hearing before the Courts below which is stated to be 12.08.2024.
5. Ordered accordingly.
6. Since the main case has been decided, pending miscellaneous application, if any, shall also stands disposed off.

(PANKAJ JAIN)
JUDGE

01.08.2024

Dinesh

Whether speaking/reasoned : Yes

Whether Reportable : No