

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

**CR No.487 of 2024**

**Date of Decision: 29.01.2024**

Gram Panchayat of Village Ladhewal  
through its Sarpanch

...Revisionist-Petitioner

Versus

Punjab Wakf Board and another

...Respondents

**CORAM:    HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA**

Present:-    Mr. Kuljit Singh Bal, Advocate  
for the revisionist-petitioner.

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**MEENAKSHI I. MEHTA, J. (Oral)**

By filing the instant revision-petition under Article 227 of the Constitution of India, the petitioner-defendant No.1-Gram Panchayat (here-in-after to be referred as 'the petitioner GP') has laid challenge to order Annexure P-4 passed by learned Chairman, Wakf Tribunal, Jalandhar (for short 'the Wakf Tribunal') on 16.11.2023 in ***Civil Suit No.40 of 2022*** titled as '***Punjab Wakf Board vs. Gram Panchayat etc***', whereby its (petitioner GP's) right to defend has been stuck-off on account of non-filing of the written-statement by it.

2.            I have heard learned counsel for the petitioner GP in the present revision-petition, at the preliminary stage and have perused the file carefully.

3.            Though, the petitioner GP did not file the written-statement well in time but keeping in view the fact that in case, it is deprived of its valuable right to file the same to defend in the above-referred Civil Suit, it would suffer an irreparable loss that may further lead to/result in the mis-carriage of justice, this Court is of the considered opinion that it would be in the fitness of the

things and the ends of justice will also be best served if the petitioner GP is allowed to file its written-statement but subject to the payment of cost to respondent No.1-plaintiff.

4. Resultantly, without issuing notice to respondent No.1-plaintiff so as to avoid any further delay in the adjudication of the afore-mentioned Civil Suit and also to avert the expenses that the plaintiff may have to incur to defend in this petition, the impugned order dated 16.11.2023 is set-aside and the revision-petition in hand is, hereby, disposed of with a direction to the Wakf Tribunal to afford only one opportunity to the petitioner GP to file its written-statement in the said Civil Suit but the payment of cost of Rs.10,000/- shall be a condition precedent for doing so and in case of default on the part of the petitioner GP in filing the written-statement or in the payment of cost on 28.03.2024, i.e the next date as stated to have been scheduled by the Wakf Tribunal for hearing in the above-referred Civil Suit, the petitioner GP shall not be entitled to any further opportunity for the afore-said purpose.

5. However, it is clarified here that in the eventuality of respondent No.1-plaintiff Board feeling aggrieved by this order, it shall be at liberty to move an appropriate application to contest the instant petition.

29.01.2024  
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(MEENAKSHI I. MEHTA)  
JUDGE

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