

not come in the way of non-suiting any of the parties. As far as possible, the discretion of the Court should be exercised in favour of passing decisions after giving appropriate opportunities to the parties and it should not shut out the hearing. In case, petitioner/defendant is allowed to file the written statement the Court would be able to do complete justice to the parties or other party can be compensated with costs.

6. So, without commenting upon the merits of the case and in the interest of justice, order dated 08.01.2024 (Annexure P-6) passed by the learned Civil Judge (Jr. Division), Amritsar is hereby set aside and this petition is disposed of with a direction to the concerned Court to give one opportunity to the petitioner to file the written statement on the next date of hearing subject to payment of costs of Rs.10,000/- to be paid to the opposite party. No further opportunity shall be granted.

7. If the respondents are not satisfied with this order, they can move an application within 30 days for recalling of this order.

8. Petition stands disposed of.

29.02.2024
Parveen kumar

(GURBIR SINGH)
JUDGE

Whether speaking/reasoned :Yes/No
Whether reportable :Yes/No