

2024:PHHC:080842



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

121

CR-3558-2024

Date of Decision.:01.07.2024

Ashok Kumar

Petitioner

Vs.

Sanyukta

Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

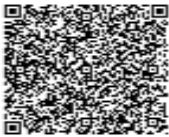
Present: Mr. H.P.S. Ishar, Advocate
for the petitioner.

DEEPAK GUPTA, J. (ORAL)

Despite opportunities provided to the petitioner (defendant before the trial Court), he did not file the written statement. Even the adjournment cost of ₹1,000/- was not paid on 31.10.2023, despite availing the last opportunity for filing the written statement.

Petitioner has now prayed for granting one opportunity to file the written statement.

Though there is no justification to grant the opportunity considering the conduct of the petitioner but in the interest of justice, one opportunity is provided to the petitioner (defendant before the trial Court) to file the written statement subject to the cost of ₹25,000/-. The said cost of ₹25,000/- + cost of ₹1,000/- which was imposed by the trial Court i.e. total amount of ₹26,000/- shall be paid in the trial Court by way of bank draft in favour of the opposite party i.e. respondent- plaintiff and only after the payment of this cost, one opportunity shall be provided by the trial Court to file the written



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statement. In case, petitioner fails to make compliance of the order, this petition shall be deemed to have been dismissed.

Disposed of, accordingly.

Since this petition has been disposed of without any notice to the opposite party, therefore, respondent will be at liberty to approach this Court in case, he is aggrieved by this order.

(DEEPAK GUPTA)
JUDGE

July 01, 2024
Neetika Tuteja

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No