



CR No.5092 of 2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CR No.5092 of 2024

Date of Decision:05.09.2024

Satpal and others

....Petitioners

Versus

Kamal and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. Talim Hussain, Advocate,
for the petitioners.

DEEPAK GUPTA, J. (Oral)

1. The defence of the petitioners-defendants before the trial Court has been struck off by the learned trial Court by way of the impugned order dated 15.05.2024, after noticing that they had put in appearnace before the trial Court in July/August 2018 and despite availing numerous opportunities failed to file written statement.

2. Counsel for the petitioners has pointed out that in fact they had earlier moved an application under Order VII Rule 11 CPC, which was dismissed on 08.09.2023 vide Annexure P-2 and thereafter the matter was adjourned for some of the dates and that as they had to collect certain documents, due to which they could not file written statement.

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3. Be that as it may, one opportunity is required to be granted to the petitioners (defendants before the trial Court) for filing written statement but subject to payment of Rs.25,000/- as costs, payable to the contesting respondents-plaintiffs to be paid them by way of bank draft.

4. Disposed of.

5. Since this order has been passed without issuing any notice to the contesting respondents, they will be at liberty to approach this Court in case they feel aggrieved.

(DEEPAK GUPTA)
JUDGE

September 05, 2024

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Whether speaking : Yes/No

Whether reportable : Yes/No