



CR-6590-2024

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

CR-6590-2024

Date of decision : 12.11.2024

Manpreet Kaur

... Petitioner

Versus

Sarabjeet Kaur and others

... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr.B. B. S. Randhawa, Advocate
for the petitioner.

VIKAS BAHL, J.(ORAL)

1. This is a Civil Revision Petition filed under Article 227 of the Constitution of India for setting aside the order dated 30.08.2024 passed by the Civil Judge (Jr.Div.), Dasuya, vide which the defence of the petitioner has been struck off.

2. Learned counsel for the petitioner has submitted that the petitioner is a lady and she does not know the intricacies of law and the learned counsel for the petitioner before the trial Court also did not inform the petitioner that the written statement has to be filed within a period of 90 days. It is submitted that the petitioner through counsel had appeared before the trial Court on 16.05.2024 and further submits that in case one opportunity is not granted to the petitioner, then an irreparable loss would be caused to the petitioner. It is further submitted that the petitioner is ready



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to compensate the respondent for the delay caused in the proceedings. It is stated that no plaintiff's evidence has been examined till date.

3. Keeping in view the abovesaid facts and circumstances, this Court is of the opinion that the petitioner deserves to be granted one last opportunity to file written statement and accordingly, the present petition is partly allowed and the impugned order dated 30.08.2024 to the extent that the defence of the petitioner has been struck off, is set aside and the petitioner is granted one last opportunity to file written statement within a period of 10 days from today and same would be subject to the petitioner depositing costs of Rs.20,000/- within a period of 10 days from today. The trial Court would disburse the said costs to respondent no.1

4. It is made clear that in case the written statement is not filed within the aforesaid period and the abovesaid costs of Rs.20,000/- is not deposited within the aforesaid period, then the present revision petition would be deemed to have been dismissed.

5. In the present case, no notice is being issued to the respondents, as issuance of notice to them would further delay the proceedings and would also entail expenses for the respondents to defend the present revision petition. However, it would be open to the respondents to move an application for recalling of the present order in case any of the arguments raised before this Court on behalf of the petitioner is false/incorrect.

(VIKAS BAHL)
JUDGE

November 12, 2024

Davinder Kumar

Whether speaking / reasoned
Whether reportable

Yes/No
Yes/No