



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No.8 of 2025 (O&M)
Date of Order:08.01.2025

Harjinder Singh

.Petitioner

Versus

Jagjit Singh and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Ms. Natasha Munjal, Advocate
for the petitioner.

ANIL KSHETARPAL, JUDGE (Oral)

1. This revision petition has been filed by defendant no.1 in a pending suit in order to challenge the correctness of the impugned order passed by the trial court on 07.11.2024, while striking off his defence for failure to file written statement.

2. The revision petition is being disposed of on the very first date of filing without issuing notice keeping in view the limited controversy involved in the case. However, the plaintiff shall have the liberty to file application for recall/modification, if so advised.

3. The learned counsel representing the petitioner contends that defendant no.1 entered appearance on 31.07.2024, and the case was adjourned to 26.09.2024, for filing reply on behalf of the petitioner (defendant no.1) and fresh notice to defendants no.2 and 3. On 26.09.2024, the case was adjourned to 07.11.2024 and the defence of the petitioner was struck off while adjourning the case for filing written statement on behalf of defendant no.2 and 3. She submits that once the case was being adjourned



for filing the written statement on behalf of defendants no.2 and 3, the court could have granted one more opportunity to the petitioner to file written statement.

4. This court has been informed that the case is now fixed for 04.02.2025, for filing replication as defendants no.2 and 3 have already filed reply.

5. The petitioner undertakes to file written statement on or before 04.02.2025. Undoubtedly, the courts are required to expedite the disposal of the cases, however, the period of 90 days for filing the reply is not sacrosanct but is discretionary. In the facts and circumstances of the present case, the court ought to have granted one more indulgence particularly when the case was being adjourned for filing reply on behalf of defendants no.2 and 3.

6. Consequently, the revision petition is disposed of with liberty to the petitioner to file written statement on or before 04.02.2025, subject to payment of costs of Rs.1000/- to the plaintiff.

7. All the pending miscellaneous applications, if any, are also disposed of.

(ANIL KSHETARPAL)
JUDGE

January 08, 2025
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No