



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

134

CR-375-2025 (O&M)

Date of Decision: 22.01.2025

THE PRINCIPAL, GOVERNMENT SCHOOL

.... Petitioner

Vs.

TEJPAL AND OTHERS

.... Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Manoj Sharma, Advocate for the petitioner.

SUVIR SEHGAL, J. (ORAL)

1. Instant revision petition has been filed under Article 227 of the Constitution of India, assailing order dated 08.10.2024, Annexure P-4, passed by learned Additional Civil Judge, Senior Division, Ambala, whereby defence of defendants No.1 and 2 have been struck off.
2. Counsel for the petitioner submits that plaintiffs-respondents No.1 to 8 had filed a civil suit and claiming possession of the suit property measuring 3 marlas and for directing the defendants to handover its possession. After being served, defendants appeared before the Trial Court and sought some opportunities to file written statement as well as reply to the stay application. Counsel states that on 31.07.2024, the Trial Court granted last opportunity for filing response subject to deposit of cost of Rs.1,000/- and when the cost was not deposited, by impugned

order, the defence of defendants No.1 and 2 has been struck off. Counsel submits that the cost has already been deposited with the District Legal Services Authority, Haryana, vide Annexure P-5 on 17.12.2024. He submits that in case the defendants No. 1 and 2 are not permitted to file their response, their case will be seriously prejudiced.

3. Having heard counsel for the petitioner and without issuing notice to the respondents, this Court is of the view that an opportunity deserves to be granted to defendants No.1 and 2 to enable them to file written statement so that they can put forth their version.

4. Accordingly, petition is allowed. Impugned order, Annexure P-4, is set aside.

5. Petitioner is granted one opportunity to file its written statement, which may be done on or before 15.02.2025. This will be subject to deposit of costs of Rs.5,000/- with the Poor Patients' Welfare Fund, PGIMER, Sector 12, Chandigarh.

22.01.2025
pooja saini

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No