



CR-2171-2025

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

(129)

CR-2171-2025

Date of Decision: - 07.04.2025

Anoop Singh and another

....Petitioners

Versus**Aman Pannu**

.....Respondent

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. S.K. Sirsa, Advocate,
for the petitioners.

VIKAS BAHL, J. (ORAL)

1. Present revision petition has been filed under Article 227 of the Constitution of India for setting aside the impugned order dated 08.12.2023 passed by the Civil Judge (Senior Division), Fatehabad in Civil Suit No.1070 of 2022 titled as “Aman Pannu Vs. Anoop Singh etc.” whereby the defence of the petitioners has been struck off.

2. Learned counsel for the petitioners has submitted that in the present case, although the petitioners had appeared on 20.12.2022 but as is apparent from the zimni order dated 11.08.2023 and 10.10.2023, the case was sent for mediation. It is further submitted that on 08.12.2023, the defence of the petitioners was struck off and thereafter, the petitioners had filed an application for recalling of the said order dated 08.12.2023, which application was dismissed on 10.03.2025. It is stated that although

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there is slackness on the part of the petitioners but since the petitioners are the only defendants and in case they are not granted an opportunity to file the written statement, then, irreparable loss would be caused to them. It is stated that the case is now fixed for 21.05.2025 for evidence of the plaintiff and the petitioners undertake to file the written statement within a period of 15 days from today. It is submitted that for the inconvenience caused to the respondent, the petitioners are ready to pay the costs.

3. Keeping in view the above-said facts and circumstances, this Court is of the opinion that the petitioners should be granted one last opportunity to file written statement and accordingly, the present revision petition is partly allowed and the impugned order dated 08.12.2023 (Annexure P-1) is set aside to the extent that the defence of the petitioners has been struck off and the petitioners are granted one last opportunity to file the written statement within a period of 15 days from today by moving an application before the trial Court and the same would be subject to the petitioners depositing the cost of Rs.30,000/- and on their depositing the said amount, the same would be released by the trial Court to the respondent.

4. It is made clear that in case the written statement is not filed within a period of 15 days from today and that the cost of Rs.30,000/- is not deposited by the petitioners within the said period, then, the present revision petition would be deemed to have been dismissed.

5. It would be relevant to mention that notice of motion has not been issued to the respondent as issuance of any notice would further

delay the proceedings in the suit and would also entail expenses for respondent in order to defend the present petition. However, it would be open to the respondent to move an application for recalling the present order in case, any statement made before this Court is found to be false/incorrect.

April 07, 2025
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No