

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

138

CR-74-2025

Date of decision : 07.04.2026

M/s. Shree Balaji Chandan Enterprises and others Petitioners

versus

Indo Farm Equipment Ltd.

..... Respondent

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. Manu Loona, Advocate
for the petitioner.

Mr. Parmod Sharma, Advocate
for the respondent.

PANKAJ JAIN, J. (Oral)

1. Present revision petition is directed against order dated 20.12.2024 passed by Civil Judge (Junior Division), Chandigarh whereby the defence of the present petitioner has been ordered to be struck off for having not paid cost of Rs. 500/- as imposed by the Trial Court and for having not filed written statement within the stipulated period as prescribed under Order VIII CPC.

2. The suit was filed in the year 2018. The Trial Court had struck off the defence of the present petitioner-defendant vide impugned order observing as under:-

“xx xx xx

On 10.12.2024, again, written statement was not filed, still, in the interest of justice, the last opportunity to file the written statement was extended till today, subject to the payment of Rs.500/- to be deposited in legal Aid funds.

Though the defendants have deposited the imposed cost of Rs.500/-, however, no plausible extension has been



given regarding not filing the written statement.

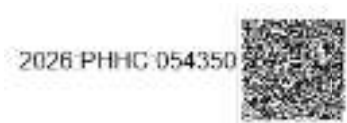
Notably, upon the submission of learned counsel for the defendants that the defendants reside at Delhi and today they can not come to Chandigarh to sign the written statement, but, as the present case pertains to the year 2018 and valid authority to sign the pleadings on behalf of defendants has already been given to the learned counsel for the defendants by the defendants, by executing the vakalatnama, therefore, in order to avoid further delay in the present case and in the interest of justice, the learned counsel for defendants has been given the option to file written statement, as provided in the Order 6 Rule 14 CPC, but no such course has been adopted either.

In this backdrop, this Court does not find any reasonable justification for adjourning the present matter again for the same purpose. Consequently, due to not filing the written statement despite availing sufficient time/opportunities, the defence of the defendants is hereby struck off.”

3. Keeping in view the conduct of the petitioner, there is no material irregularity in the order that warrants interference by this Court in exercise of revisional jurisdiction. However, keeping in view the interest of justice, one opportunity is granted to the petitioner to file written statement, subject to payment of Rs. 5000/- cost to be paid to the plaintiff-respondent.

4. Accordingly, the impugned order is modified to the extent that the Trial Court shall grant one more opportunity to the petitioner-defendant to file written statement on producing of this order and subject to payment of Rs.5000/- cost in addition to cost imposed by Trial Court vide order dated 10.12.2024.

5. In case, the petitioner fails to file written statement or to pay the cost as directed hereinabove, the impugned order shall come in



vogue.

6. Accordingly, the present revision petition is disposed off.

(PANKAJ JAIN)
JUDGE

07.04.2026
Dinesh

Whether speaking/reasoned :	Yes
Whether Reportable :	No