



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

(120)

CR-2633-2026

Date of decision:- 23.03.2026

SANDEEP

... Petitioner

Versus

AMRIT LAL AND OTHERS

... Respondents

CORAM: HON'BLE MR. JUSTICE PARMOD GOYAL

Present:- Mr. Deshmukh Kumar, Advocate
for the petitioner
(through video conferencing).

1. The present revision petition has been preferred under Article 227 of the Constitution of India by the petitioner-plaintiff being aggrieved by the order dated 20.02.2026 (Annexure P-1), whereby the Court of first instance, i.e. the Court of Civil Judge (Junior Division), Kaithal, allowed last opportunity to the respondents-defendants to file their written statement as well as a reply to the stay application. The next date for filing the written statement is stated to be 30.03.2026.

2. The sole argument raised on behalf of the petitioner-plaintiff is that since more than 90 days have passed and the respondents/defendants have failed to file the written statement as well as a reply to the application for interim injunction, the learned Court of first instance ought to have struck off the defence of the respondents-defendants and, therefore, the impugned order dated 20.02.2026 is liable to be set aside.



3. Upon consideration, I find no merit in the contentions raised on behalf of the petitioner-plaintiff. Admittedly, in the present case, a stay is operating in favour of the petitioner-plaintiff and against the respondents-defendants. The respondents-defendants are seeking to file the written statement after collecting the necessary documents, and they have been granted a last opportunity by the learned Court of first instance. The period of 90 days is not mandatory and is not an absolute bar beyond which the defendant cannot be permitted to file a written statement. The Court, in order to balance equities and in the interest of justice, may grant time to file the written statement beyond 90 days. In the present case, the exercise of such discretion by the learned Court of first instance is not shown to be perverse or illegal.

4. In these circumstances, no interference is warranted with the impugned order dated 20.02.2026, and the same is upheld. It is further made clear that the learned Court of first instance shall insist on the filing of the written statement on 30.03.2026 and shall grant any further time only upon payment of heavy costs and for justified reasons shown by the respondents-defendants. In case no justified reasons are shown, the Court of first instance shall pass appropriate orders in accordance with law.

5. In view of the above, the present revision petition is disposed of.

(PARMOD GOYAL)
JUDGE

23.03.2026
parul verma

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