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

CR-3759-2019

Date of decision: 20.05.2026

Sarbjit Singh Chugh and another

...Petitioners

Versus

Sanjana Thakur

...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Arun Dogra, Advocate for the petitioners.

VIKAS BAHL, J. (ORAL)

1. This is a revision petition filed under Article 227 of the Constitution of India for setting aside the order dated 02.05.2019 (Annexure P-3) passed by the Civil Judge (Senior Division), Panchkula in civil suit No.100 of 2018 titled as “Sarbjit Singh and another Vs. Sanjana Thakur”, whereby the application of the petitioners/plaintiffs for seeking permission to place on record rejoinder to written statement has been dismissed.

2. Learned counsel for the petitioners has submitted that the petitioners/plaintiffs have filed a suit for mandatory injunction directing the respondent/defendant to vacate the flat in question and also for mesne profits and thus, delay in the proceedings would primarily prejudice the rights of the petitioners. It is submitted that in the written statement, certain baseless and vexatious allegations were made and even certain documents of the



defendant-respondent were forged and fabricated and thus, the petitioners were necessarily required to file replication/rejoinder and for the said purpose, an application seeking necessary permission to place on record rejoinder to the written statement was filed, which had been dismissed by the trial Court primarily on the ground that the written statement was filed on 16.08.2018 whereas the application dated 18.03.2019 seeking permission to place on record rejoinder to the written statement was filed on 04.04.2019, after the evidence of the plaintiffs had started. It is submitted that since the filing of the rejoinder is very necessary, thus, the petitioners would suffer irreparable loss in case the same is not allowed. It is further submitted that since the defendant has made allegations in the written statement which are required to be rebutted, thus, filing of the replication is necessary for the proper and final adjudication of the case.

3. Notice was issued in the present revision petition and it was recorded on 18.11.2025 that the respondent had been served but none had appeared on her behalf. Even today, none has appeared on behalf of the respondent to oppose the present revision petition.

4. In the present case, the petitioners/plaintiffs have filed a suit for mandatory injunction directing the respondent-defendant to vacate the flat in question and also for seeking mesne profits, thus, the delay in the proceedings would primarily prejudice the rights of the petitioners. In the application filed for placing on record the rejoinder to the written statement, the petitioners have specifically pleaded that there are averments made in the written statement which are false, baseless and vexatious and the defendant/respondent has also placed reliance upon certain documents which



as per the case of the petitioners are forged and fabricated and thus, in view of the said averments, the plea raised by the petitioners that filing of the rejoinder would be necessary for the purpose of proper and final adjudication is meritorious. Thus, the petitioners should be granted one opportunity to place on record the rejoinder. However, since there is delay in filing of the rejoinder, thus, this Court is of the opinion that the petitioners should be imposed with some costs.

5. Keeping in view the abovesaid facts and circumstances, the present revision petition is allowed and impugned order dated 02.05.2019 is set aside and the petitioners are granted one opportunity to file rejoinder to the written statement and the same would be done within a period of two weeks from today and the same would also be subject to the petitioners depositing cost of Rs.10,000/- within the aforesaid period of two weeks, which the trial Court would release to the respondent.

6. It is made clear that in case the rejoinder is not filed within the aforesaid period and cost is not deposited within the aforesaid period, then, the present revision petition would be deemed to have been dismissed.

7. All the pending miscellaneous applications, if any, shall stand disposed of in view of the abovesaid order.

20.05.2026*Pawan***(VIKAS BAHL)
JUDGE****Whether speaking/reasoned:-****Yes/No****Whether reportable:-****Yes/No**