

CR-6142-2019

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2026:PHHC:062135



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CR-6142-2019

Date of decision : 23.04.2026

Amrik Singh

... Petitioner

Versus

Robin Singh alias Robinpreet Singh

... Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Amandeep Singh Manaise, Advocate
for the petitioner.

Mr.Amit Gupta, Advocate
for the respondent.

VIKAS BAHL, J.(ORAL)

1. This is a Civil Revision Petition filed under Article 227 of the Constitution of India for setting aside the impugned order dated 06.08.2019 (Annexure P-3) passed by the Civil Judge (Jr.Div.), Gurdaspur, vide which the defence of the petitioner-defendant has been struck off.

2. Learned counsel for the petitioner-defendant has submitted that in the present case, the defendant had appeared in the suit for the first time on 01.05.2019 and the evidence of the defendant has been struck off on 06.08.2019 i.e., within a period of three months. It is submitted that learned counsel for the petitioner had wrongly noted the date as 08.08.2019,

however, next date was 06.08.2019 i.e., the date on which the order striking



off defence was passed. It is argued that the written statement has already been prepared and the same has been placed on record as Annexure P-2 along with the present revision petition and the same is dated 05.08.2019 and was prepared prior to 08.08.2019 which was the date noted by the petitioner.

3. Learned counsel for the respondent, on the other hand, has submitted that the respondent had filed suit for recovery of money and sufficient opportunity was given to the petitioner to file written statement but since the petitioner wanted to delay the proceedings, he did not file the written statement. It is submitted that at any rate, heavy cost should be imposed upon the petitioner in case the petitioner is to be granted opportunity to file written statement and the said opportunity should be the last opportunity.

4. Learned counsel for the petitioner has submitted that in view of the objection raised on behalf of the respondent, he is ready to pay reasonable cost.

5. It is not in dispute that the petitioner had appeared on 01.05.2019 and the defence of the petitioner has been struck off on 06.08.2019. An explanation for not filing the written statement on the said date has been given on behalf of the petitioner before this Court which has been noticed hereinabove. The written statement has already been prepared by the petitioner and the same has been annexed as Annexure P-2 with the present petition.



6. Keeping in view the above said facts and circumstances, the present revision petition is allowed and the impugned order dated 06.08.2019 is set aside and the petitioner is permitted to file the written statement Annexure P-2 before the trial Court within a period of two weeks from today and the same would be subject to the petitioner depositing cost of Rs.20,000/- within the aforesaid period which would be released to the respondent by the trial Court.

7. It is made clear that in case the said cost is not deposited, then, the present petition would be deemed to have been dismissed.

(VIKAS BAHL)
JUDGE

April 23, 2026.
Davinder Kumar

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