



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

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CR-9838-2025 (O&M)

Date of Decision:-20.01.2026

Municipal Council, Zirakpur

.....Petitioner

Versus

Mehar Din and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMARINDER SINGH GREWAL

Present: Mr. G. C. Garg, Advocate, for the petitioner.

AMARINDER SINGH GREWAL, J. (Oral)

1. The present revision petition has been filed under Article 227 of the Constitution of India seeking setting aside of the impugned order dated 15.10.2025 (Annexure P-2) passed by the learned Civil Judge (Junior Division), Dera Bassi, whereby the defence of the petitioner has been struck off.

2. The brief facts of the case are that respondent–Mehar Din and others filed a civil suit for permanent injunction restraining the petitioner–defendants from interfering in the peaceful possession of the plaintiffs over the suit property. Notice of the said suit was served upon the petitioner, who was arrayed as defendant before the learned trial Court. The petitioner–Municipal Corporation put in appearance through counsel and sought adjournments for filing the written statement; however, the same was not filed. Vide impugned order dated 15.10.2025, the learned Civil Judge (Junior Division), Dera Bassi, held that despite sufficient opportunities having been granted to file the written statement, the petitioner–defendant failed to do so and the statutory period had elapsed. Consequently, the defence of the defendant was struck off.



3 Learned counsel for the petitioner contends that since the valuable rights of the petitioner are involved in the present suit and, therefore, one opportunity may kindly be granted to the petitioner to file its written statement.

4. I have heard learned counsel for the petitioner and have perused the paper book.

5. In view of the nature of the order proposed to be passed, issuance of notice to the respondent is dispensed with, as the same would only delay the proceedings and entail unnecessary expenses.

6. Keeping in view the above noted submissions and considering the fact that valuable rights of the petitioner are involved in the present suit, this Court is of the opinion that one opportunity ought to be granted to the petitioner to file its written statement. Accordingly, present revision petition is allowed and the impugned order dated 15.10.2025 is set aside. The petitioner is permitted to appear before the learned trial Court on the date already fixed. The learned Civil Judge (Junior Division), Dera Bassi, is directed to grant one more effective opportunity to the petitioner to file its written statement, subject to payment of costs of ₹5,000/- to be deposited with the concerned District Legal Services Authority.

7. Pending applications(s), if any, shall stand disposed of.

(AMARINDER SINGH GREWAL)
JUDGE

20.01.2026

anil

Whether speaking/reasoned:-	Yes/No
Whether Reportable:-	Yes/No