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

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Date of Decision: 05.02.2026

Luxmi Machine Works Limited

...Petitioner

Versus

M/s Naman Hydraulics

.... Respondent

CORAM: HON'BLE MR. JUSTICE AMARINDER SINGH GREWAL

Present: Mr. Deepak K. Mehta, 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 20.11.2025 (Annexure P-8), passed by the learned Additional Civil Judge (Senior Division), Phagwara, whereby, the defence of petitioner/defendant was struck off.

2. Brief facts of the case are that respondent–M/s Naman Hydraulics filed a suit for recovery of Rs.30 lakhs against the present petitioner. Notice of the suit was duly served upon the petitioner/defendant, who appeared through counsel on 21.02.2024 and thereafter, the matter was adjourned on several occasions for filing of the written statement. The record further reveals that repeated opportunities were granted to the petitioner to file the written statement. Subsequently, the petitioner filed an application under Order VII Rule 11 read with Section 151 CPC seeking rejection of the plaint, which came to be dismissed vide order dated 14.10.2025. Thereafter, the case was again



fixed for filing of the written statement as a last opportunity. However, vide impugned order dated 20.11.2025, the learned Additional Civil Judge (Senior Division), Phagwara, observed that the matter was being unnecessarily lingering on account of non-filing of the written statement and, since the petitioner failed to file the same within the stipulated period, the defence of the petitioner/defendant was struck off.

3. Learned counsel for the petitioner contends that since the valuable rights of the petitioner are involved in getting the suit decided and as such, petitioner may be given one effective opportunity to file its written statement.

4. In view of the nature of the order proposed to be passed, issuance of notice to the respondent is dispensed with, as it would only delay the proceeding and cause unnecessary expenditure to the respondent.

5. I have heard learned counsel for the petitioner and have gone through the paper book.

6. In view of the above and considering the fact that the valuable rights of the petitioner are involved in the matter and without commenting on the merits of the case, present revision petition is allowed and petitioner is directed to appear before the learned Additional Civil Judge (Sr. Divn.), Phagwara, on the date fixed and thereafter, the learned Additional Civil Judge (Sr. Divn.), Phagwara, is directed to afford one effective opportunity to the petitioner to file the written statement subject to payment of costs of Rs.5,000/-to be deposited with concerned District

Legal Services Authority.



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7. Pending applications, if any, shall stand disposed of.

(AMARINDER SINGH GREWAL)
JUDGE

05.02.2026
anil

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