



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

129

CR-6704-2025

Date of Decision:22.09.2025

Sarabjeet Kaur and Another

.....Petitioners

Vs.

Rajwant Kaur

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Amit Khari, Advocate for the petitioners.

DEEPAK GUPTA, J. (ORAL)

Petitioners herein are defendants before learned Civil Judge (Junior Division), Panipat in civil suit bearing No.295 of 2024 titled as "Rajwant Kaur vs. Sarbjeet Kaur and another". They are aggrieved by the order dated 09.10.2024 (Annexure P-4), whereby their defence was struck off. Petitioners further assails the order dated 23.07.2025 (Annexure P-6), whereby their application for recalling the order dated 09.10.2024 was dismissed.

2. Learned counsel for the petitioners submits that in a suit for declaration filed by the respondent- plaintiff, appearance on behalf of the defendants was made for the first time on 25.04.2024. Petitioners were provided opportunities till 09.10.2024 to file the written statement but they could not do so. Their defence was struck off and the application for recalling the order was dismissed on 23.07.2025.

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3. Though learned counsel for the petitioners could not justify non-filing of the written statement, despite grant of sufficient opportunities but learned counsel for the petitioners prays for one opportunity to the petitioners to file the written statement submitting that valuable rights in the immovable property of the petitioners are involved.

4. Without issuing any notice to the respondent, lest it may delay the disposal of the main suit before the trial Court, this petition is hereby disposed of by directing the trial Court to provide one opportunity to the petitioners to file the written statement subject to cost of ₹25,000/- payable by way of Demand Draft to the respondent- plaintiff.

5. The trial Court shall fix a date for paying the cost and for filing the written statement on the same date. In case, petitioners fails to avail the opportunity, the petition shall be deemed to have been dismissed.

6. Since this order has been passed without issuing any notice to the respondent, therefore, respondent will be at liberty to approach this Court, in case, she feels aggrieved.

(DEEPAK GUPTA)
JUDGE

September 22, 2025

Neetika Tuteja

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No