



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

**Sr. No.153**

**CR-5087-2023  
Date of Decision: 04.08.2025**

**SANJIV GUPTA AND ANOTHER**

**...Petitioners**

**Versus**

**RAJIV GUPTA AND OTHERS**

**....Respondents**

**CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI**

Present:- Mr. Ashok Bhardwaj, Advocate  
for the petitioners.

Mr. Sahil Singla, Advocate  
for the respondents.

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**ARCHANA PURI, J. (Oral)**

At this stage, counsel for the respondents has given a statement that he has no objection, if the revision petition is allowed and an opportunity is granted to the petitioners, to file written statement.

In view of the submission so made, this Court has gone through the paperbook. Perusal of the same reveals that the suit for mandatory injunction was filed by respondent No.1 against the petitioner. However, despite availing several opportunities, the written statement was not filed.

Gone through the impugned order.

It is solely on account of the duration of the time taken for filing of the written statement, the Presiding Officer, has struck off the defence. This order was passed on 27.07.2023 and on account of stay having been granted by this Court, the case has not proceeded further, before learned Trial Court.



Considering the time already consumed and more particularly, the fact about the period of 90 days to file written statement, being not mandatory provision, which also does not call for any penal consequences, without prejudice to the rights of the parties, to be adjudicated on merits, the revision petition, as such, is allowed and the impugned order dated 27.07.2023, is hereby set aside.

Petitioner No.1/defendant No.1, is hereby directed to make appearance before learned Trial Court on the next date fixed and file written statement. No further opportunity in any case, shall be given by learned Trial Court, to file the written statement.

In view of the aforesaid terms, the revision petition stands disposed of.

**04.08.2025**  
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**(ARCHANA PURI)**  
**JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No