



CR-1163-2025

1

IN THE HIGH COURT OF PUNJAB & HARYANA AT  
CHANDIGARH

\*\*\*

CR-1163-2025

Date of decision : 06.03.2025

J.T. Sales and another

... Petitioners

Versus

Varinder Singh

... Respondent

***CORAM: HON'BLE MR. JUSTICE VIKAS BAHL***

Present: Mr.Umesh Aggarwal, Advocate  
for the petitioners.

Mr.Gaurav, 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 order dated 26.11.2024 (Annexure P-5) vide which an application filed by the petitioners for setting aside ex-parte order has been allowed only to the extent that the petitioners are allowed to cross-examine the respondent witnesses.

2. On 24.02.2025, this Court was pleased to pass the following order:-

*“Present:- Mr. Umesh Aggarwal, Advocate  
for the petitioners.*

\*\*\*

*Inter alia, contends that in the present case, in*



*case the petitioners are not granted an opportunity to file reply, irreparable loss would be caused to them. It is submitted that for the delay caused in the proceedings and inconvenience caused to the respondent, the petitioners are ready to pay an amount of Rs.50,000/- as costs to the respondent.*

*Notice of motion for 06.03.2025.*

*Notice re: stay as well.*

*Liberty is granted to the petitioners to serve the respondent through dasti process as well as through the counsel appearing for him before the trial Court.*

*Petitioners, as undertaken, would bring a demand draft of an amount of Rs.50,000/- in the name of the respondent, to be paid as costs to the respondent.*

*It is made clear that in case the said demand draft prepared in the name of the respondent is not produced by the petitioners on the next date of hearing, then, the present petition would be liable to be dismissed.*

*To be taken in the urgent list.*

*February 24, 2025”*

3. Learned counsel for the petitioners has submitted that the petitioner could not prepare a demand draft of Rs.50,000/- but has brought the amount of Rs.50,000/- in cash and has handed over the same to the learned counsel for the respondent, which fact has been reiterated by the learned counsel for the respondent.

4. Learned counsel for the petitioners has submitted that the petitioner be granted an opportunity to file the written statement and the impugned order to the said extent be set aside.

5. Learned counsel for the respondent has submitted that he would

**CR-1163-2025****3**

hand over the amount of Rs.50,000/- to the respondent and has further submitted that in case an opportunity is granted to the petitioners to file the written statement, then the petitioners be directed to file the written statement within a period of 15 days.

6. Keeping in view the abovesaid facts and circumstances and the fair stand taken on behalf of the petitioners and the respondent and the fact that the respondent has been adequately compensated, the present petition is partly allowed and the impugned order dated 26.11.2024 to the extent that the petitioners have not been given the right to file the written statement is set aside and the petitioners are granted one last opportunity to file the written statement within a period of 15 days from today by moving an application before the trial Court.

7. It is clarified that the amount of Rs.50,000/- would include costs of Rs.3500/- which was ordered by the trial Court in the impugned order.

**(VIKAS BAHL)**  
**JUDGE**

**March 06, 2025.***Davinder Kumar*

Whether speaking / reasoned  
Whether reportable

Yes/No  
Yes/No