



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

\*\*\*

**CR-2308-2025**

Date of decision : 21.04.2025

Vinay Broot @ Vinay Baroot and others

... Petitioners

Versus

Nirmala Kumari Baroot @ Nirmala Kumari and others ... Respondents

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

Present: Mr.Naveen Bawa, Advocate for the petitioners.

**VIKAS BAHL, J.(ORAL)**

1. This is a Civil Revision Petition filed under Article 227 of the Constitution of India for setting aside the impugned order dated 05.03.2025 (Annexure P-3) passed by the Civil Judge (Jr.Div.), Ludhiana, vide which the defence of the petitioners has been struck off due to non-filing of the written statement.

2. Learned counsel for the petitioners has submitted that in the present case, petitioner no.4, who is the daughter of petitioners no.1 and 2 and sister of petitioner no.3, got married on 10.11.2024 and in support of his arguments, learned counsel for the petitioners has annexed the wedding card (Annexure P-4) and it is submitted that on account of the said fact, the petitioners could not file the written statement. It is further submitted that there was some slackness on the part of the petitioners and for the said purpose, the petitioners are ready to pay adequate costs to respondent no.1. It is submitted that in case the petitioners are not permitted to file the written statement, then they would suffer irreparable loss. It is also



submitted that the plaintiff has not led evidence till date and the next date in the present case is 22.05.2025.

3. Keeping in view the above said facts and circumstances, this Court is of the opinion that one last opportunity should be granted to the petitioners to file the written statement and accordingly, the present petition is partly allowed and the impugned order dated 05.03.2025, to the extent that the defence of the petitioners has been struck off, 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 and the same would be subject to the petitioners depositing cost of Rs.40,000/- within a period of 15 days from today in the trial Court and the said amount would be released to the respondent no.1 by the trial Court.

4. It is made clear that in case the abovesaid cost is not deposited, then the present petition shall be deemed to have been dismissed.

5. In the present case, no notice is being issued to the respondents as issuance of notice to them would further delay the proceedings and would also entail expenses for the respondents to defend the present revision petition. However, it would be open to the respondents to move an application for recalling the present order in case any of the statement made before this Court is found to be false/incorrect.

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

**April 21, 2025.**

*Davinder Kumar*

Whether speaking / reasoned  
Whether reportable

Yes/No  
Yes/No