



CR-960-2025 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CR-960-2025 (O&M)

Date of decision : 14.02.2025

Saroj

..... Petitioner

versus

Kulwant & ors.

..... Respondents

**CORAM : HON'BLE MR.JUSTICE PANKAJ JAIN**

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Present :- Mr. Rajesh Dhankhar, Advocate and  
Mr. Anurag Sharma, Advocate  
for the petitioner.

**PANKAJ JAIN, J. (ORAL)**

1 Challenge is to the order dated 04.12.2024 (Annexure P-5) whereby defence evidence of the petitioner/defendant No.2 in proceedings under Order XXXIX Rule 2 A CPC stands struck off for not filing reply despite having availed three opportunities.

2 Though there is no cogent explanation forthcoming for not filing of reply yet purely in the interest of justice impugned order is modified to the extent that the petitioner-defendant No.2 is granted an opportunity to file reply on or before 10.03.2025 by moving an appropriate application before the concerned Court. In case the reply is filed, the Court shall allow the same to be placed on record and shall proceed accordingly.

3 Order with respect to striking off defence of petitioner-defendant No.2 shall stand annulled. However, in case the reply is not filed on or before 10.03.2025, impugned order shall come into operation.



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4 The aforesaid indulgence is subject to payment of Rs.5,000/- costs to the petitioner payable to respondent.

5 Ordered accordingly.

6 Petition stands disposed off.

**14.02.2025**

*Pooja Sharma-I*

**( PANKAJ JAIN )  
JUDGE**

Whether speaking/reasoned:  
Whether reportable:

Yes/No  
Yes/No