



CR-479-2025

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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CR-479-2025

Date of decision : 24.01.2025

Fiza

... Petitioner

Versus

Pioneer Immigration and Education Consultancy Pvt. Ltd.

... Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr.Umesh Sharma, Advocate for the petitioner.

VIKAS BAHL, J.(ORAL)

1. This is a Civil Revision Petition filed under Article 227 of the Constitution of India against the impugned order dated 20.11.2024 passed by the Civil Judge (Jr.Div.), Chandigarh in CS no.CS/1794/2023 titled as "Pioneer Immigration and Education Consultancy Pvt. Ltd. vs. Fiza etc." vide which the defence of the petitioner stands struck off.

2. Learned counsel for the petitioner has submitted that the petitioner is a lady and had delivered a child on 13.07.2024 and even thereafter was not keeping good health and it is on account of the said fact that she could not pursue the case diligently. It is submitted that in case the petitioner is not granted one last opportunity to file the written statement, irreparable loss would be suffered by the petitioner. It is further submitted that till date, no evidence of the plaintiff has been led and the next date in the case is 19.04.2025. It is submitted that for the inconvenience caused to the respondent, the petitioner is ready to pay adequate costs.

3. Keeping in view the abovesaid facts and circumstances, this

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Court is of the opinion that one last opportunity should be granted to the petitioner to file written statement and accordingly, the present petition is partly allowed and order dated 20.11.2024 to the extent that the defence of the petitioner has been struck off, is set aside and the petitioner is granted one last opportunity to file written statement, which would be filed by the petitioner within a period of three weeks from today by moving an application before the trial Court with a copy to the counsel for the plaintiff and would also be subject to the petitioner depositing an amount of Rs.25,000/- within the aforesaid period of 3 weeks, which amount the trial Court would release to the plaintiff-respondent.

4. It is made clear that in case the written statement is not filed and the amount is not deposited within the aforesaid period, then the present petition would be deemed to have been dismissed.

5. In the present case, no notice is being issued to the respondent as issuance of notice to them would further delay the proceedings and would also entail expenses for the respondent to defend the present revision petition. However, it would be open to the respondent 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

January 24, 2025.*Davinder Kumar*

Whether speaking / reasoned

Yes/No

Whether reportable

Yes/No