



242

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

CR-1715-2023 (O&M)

Date of Decision : 28.02.2025

Surinder Singh ... Petitioner(s)

Versus

Harpreet Singh ... Respondent(s)

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. HPS Sidhu, Advocate for the petitioner.

Mr. Rajesh Bhatheja, Advocate for the respondent.

ALKA SARIN, J. (Oral)

1. Challenge in the present revision petition is to the order dated 21.02.2023 whereby the defense of the defendant-petitioner has been struck off due to non-filing of the written statement.

2. Learned counsel for the defendant-petitioner would contend that if given one opportunity, the defendant-petitioner would file his written statement on the next date of hearing before the Trial Court which is 11.04.2025.

3. *Per contra* the learned counsel for the plaintiff-respondent would contend that despite six months having elapsed, the written statement was not filed by the defendant-petitioner and hence no fault can be found with the impugned order dated 21.02.2023.

4. Heard.

5. In the present case, no doubt the defendant-petitioner has not filed his written statement despite numerous opportunities. However,

keeping in view the nature of the litigation and to do complete justice, one opportunity is granted to the defendant-petitioner to file his written statement on the next date of hearing before the Trial Court i.e. **11.04.2025**, subject to payment of ₹30,000/- as costs to be paid to the plaintiff-responder, which shall be a condition precedent.

6. It is made clear that in case the written statement is not filed as directed, the present revision petition shall be deemed to have been dismissed.

7. Disposed off accordingly. Pending applications, if any, also stand disposed off.

28.02.2025
Yogesh Sharma

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO