

**123 IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH****CR-6103-2025 (O&M)****Date of Decision: September 04, 2025****Naresh Kumar****...Petitioner****Versus****Sagar Bhoji****...Respondent****CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA****Present:-** Mr. Umesh Aggarwal, Advocate for the petitioner.**DEEPAK GUPTA, J.(Oral)**

Petitioner herein is the defendant before learned Civil Judge (Jr. Divn.), Amritsar, in a Civil Suit No.CS/2838/2023, titled as '*Sagar Bhoji v Shri Naresh Kumar Bhoji alias Thibi*'.

2. By way of this revision petition filed under Article 227 of the Constitution of India, petitioner has assailed the order dated 25.02.2025 (Annexure P-5) passed by the trial Court, whereby his defence was struck off.

3. At the outset, learned counsel for the petitioner submits that petitioner may be provided one more opportunity to file written statement as the case is still at the stage of plaintiff's evidence and that plaintiff has not even started leading evidence so far. It is also submitted that the dispute is between the family members and the matter was earlier referred to the Mediation Centre by the trial Court, but it was not resolved.

4. On query, it is pointed out by learned counsel for the petitioner that the suit was filed on 20.09.2023. The petitioner-defendant put in appearance for the first time before the trial Court on 08.10.2024. The matter was adjourned twice for filing written statement, but as the same was filed, his defence was struck off by way of the impugned order dated 25.02.2025 (Annexure P-5).

5. Learned counsel submits that due to some earlier litigation, petitioner had moved an application under Section 151 CPC and the same was disposed of on 29.08.2025.

6. Keeping in view the submissions made by learned counsel for the petitioner and also the fact that the valuable rights of the petitioner-defendant are involved, the impugned order dated 25.02.2025 (Annexure P-5) is hereby set aside and petitioner-defendant is granted one opportunity to file written statement. However, this order shall be subject to payment of ₹25,000/- as costs payable by the petitioner-defendant to the respondent-plaintiff by way of a demand draft on the date to be fixed by the trial Court concerned.

Disposed of.

Since this order has been passed without issuing notice to respondent-plaintiff, in order to avoid the delay, therefore, he will be at liberty to approach this Court, in case, he feels aggrieved by this order.

**September 04, 2025**

sarita

Whether reasoned/speaking:  
Whether reportable:

Yes/No  
Yes/No

**(DEEPAK GUPTA)**  
**JUDGE**