



121

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

CR-3414-2025

Date of decision: 01.07.2025

Block Development & Panchayat Officer

...Petitioner

Versus

Kawaljeet Kaur Gill and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. K.S. Brar, Advocate for the petitioner.

VIKAS BAHL, J. (ORAL)

1. This is a revision petition filed under Article 227 of the Constitution of India for setting aside the orders dated 02.01.2024 (Annexure P-3) and dated 10.07.2024 (Annexure P-4) passed by the ACJ(SD), Faridkot.
2. Learned counsel for the petitioner has submitted that the present petition has been filed by the Block Development and Panchayat Officer and that the petitioner has been made a party as defendant No.2(c). It is submitted that the case before the trial Court is now fixed for 01.07.2025 for filing replication and is thus, at the initial stage. It is however fairly pointed out by the counsel for the petitioner that as per the zimni order dated 19.04.2023, PW1-Yashpal has been examined-in-chief and has further stated before this Court that in case any witness has been examined then the petitioner would not seek recalling of the said witness for the purpose of cross-examination. It is submitted that in case an opportunity is not granted to the petitioner to file his written statement then irreparable loss would be caused to him and has submitted that for the inconvenience caused to respondent No.1, the petitioner is ready to pay costs of Rs.50,000/-. It is further submitted that



the petitioner would submit the written statement within a period of one week from 01.07.2025, which is the next date of hearing before the trial Court.

3. Keeping in view the abovesaid facts and circumstances, this Court is of the opinion that one last opportunity, on payment of adequate costs, should be granted to the petitioner to file his written statement. Accordingly, the present revision petition is partly allowed and the impugned orders dated 02.01.2024 (Annexure P-3) and dated 10.07.2024 (Annexure P-4) to the extent that the defence of the petitioner-defendant No.2(c) has been struck off, are set aside subject to the petitioner depositing an amount of Rs.50,000/- within a period of one week from today and the petitioner is granted one last opportunity to file his written statement within a period of one week from today, by moving an application before the trial Court. On deposit of the above said amount, the same would be released by the trial Court to the plaintiff-respondent No.1.

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

5. In the present case, no notice is being issued to respondent No.1 as issuance of notice to her would further delay the proceedings and would also entail expenses for respondent No.1 to defend the present revision petition. However, it would be open to respondent No.1 to move an application for recalling of the present order in case any of the statement made before this Court is found to be false/incorrect.

01.07.2025

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No