



IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

\*\*\*\*

119

CR-7221-2025

Date of Decision:13.10.2025

Gagan Mahajan

.....Petitioner

Vs.

Sonia

.....Respondent

**CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA**

Present:- Mr. Avtar Singh Bhatti, Advocate  
for the petitioner.

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**DEEPAK GUPTA, J. (ORAL)**

Petitioner herein is defendant No.1 before learned Civil Judge (Junior Division), Gurdarspur in civil suit bearing No.CS-1876-2022 titled as "Sonia vs. Gagan Mahajan and others". He is aggrieved by the order dated 01.04.2025 (Annexure P-2), whereby his defence has been struck off.

2. Perusal of the paper-book would reveal that petitioner-defendant No.1 was proceeded against *ex parte* on 17.10.2022. The said order was set aside on 03.01.2025 subject to ₹2,000/- as cost. Thereafter said petitioner-defendant No.1 failed to file written statement despite lapse of more than 90 days, due to which his defence was struck off by way of impugned order.

3. Learned counsel for the petitioner prays for one more opportunity to be granted to the petitioner to file the written statement submitting that his valuable rights in the immovable property are involved .

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4. Although there is no illegality or perversity in the impugned order passed by the trial Court, which has been passed having regard to the own conduct of the petitioner, but in the interest of justice only one opportunity is provided to the petitioner-defendant No.1 to file the written statement subject to ₹50,000/- as cost payable to the plaintiff i.e. respondent herein by way of a Demand Draft.

5. It has been stated at bar by learned counsel for the petitioner that plaintiff has not led any evidence so far and the case is now fixed for 15.10.2025 for the evidence.

6. Learned counsel for the petitioner undertakes to file the written statement on 15.10.2025 itself. The trial Court shall permit the petitioner to file written statement on date fixed along with Demand Draft of ₹50,000/- payable to the plaintiff-respondent.

7. Since this order has been passed without issuing any notice to the respondent-plaintiff, lest it may delay the proceedings, therefore respondent will be at liberty to approach this Court, in case she feels aggrieved.

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

**October 13, 2025**

Neetika Tuteja

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No