



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

**CR-1998-2025**

**Date of Decision: April 01, 2025**

**M/s Gopal Dass through its proprietor and others ...Petitioners**

**Versus**

**Consumer Touch through its authorised representative ...Respondent**

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

**Present:-** Mr. Gaurav Singla, Advocate for the petitioners.

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

Petitioners herein were defendants before the Commercial Court, Faridabad in the suit titled as "**Consumer Touch v. M/s Gopal Dass and others**". Petitioners-defendants failed to file written statement within the mandatory period of 120 days. Later on, after expiry of 120 days period, they filed the written statement. Application of the plaintiff to take off record that written statement has been accepted by the Commercial Court, Faridabad vide impugned order dated 21.01.2025 (Annexure P-4), which order has been assailed before this Court by the defendants-petitioners.

2. In "**M/s SCG Contract India v. K.S. Chamankr Infrastructure Pvt. Ltd. and others**", AIR 2019 SC 2691, as referred by the trial Court, it was held by Hon'ble Supreme Court that it is mandatory for a defendant in a commercial suit to file its written statement within 120 days, which includes extension period from the date of service of summons, failing which the defendant fortifies its right to do so.

3. It is conceded in this case by learned counsel for the petitioners that written statement was not filed by the petitioners-defendants within 120 days.

4. In view of above, this Court does not find any illegality or infirmity in the impugned order. As such, finding no merits in the present revision petition, the same is hereby dismissed.

**April 01, 2025**

sarita

**(DEEPAK GUPTA)  
JUDGE**

Whether reasoned/speaking:  
Whether reportable:

Yes/No  
Yes/No