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

CR-5910-2025

Date of decision: 29.08.2025

SUNITA PANDEY AND OTHERS**..Petitioners****Versus****YOGESH KUMAR CHHABRA****..Respondent****CORAM: HON'BLE MRS. JUSTICE SUDEEPTI SHARMA**

Present: Ms. Katyayni Dwivedi, Advocate
Mr. Saurabh Gulia, Advocate
for the petitioners.

SUDEEPTI SHARMA, J. (Oral)

1. Present revision petition has been filed under Article 227 of the Constitution of India for setting aside order dated 15.07.2025, passed by the learned Civil Judge (Junior Division), Gurugram, whereby the defence of the petitioners/defendants is struck off.

2. Learned counsel for the petitioners contends that on 29.04.2025, last opportunity was granted to the petitioners to file written statement subject to payment of cost of Rs.3,000/- and the case was adjourned to 15.07.2025. On 15.07.2025, the cost was deposited, whereas, due to technical glitch in the system, the receipt could not be given to the petitioners and without the receipt, the reply could not be filed since it was subject to the payment of cost. The receipt was given by the DLSA at 03:00 p.m. and the petitioners with the receipt and written statement approached the Court and was apprised that the case was over and impugned order dated



15.07.2025 was passed, whereby, the defence of the petitioners was struck off.

3. Learned counsel for the petitioners further contends that there was no intentional lapse on the part of the petitioners and it is because of the technical glitch in the system of DLSA that the petitioners could not get the receipt of depositing the cost, which was to be attached with the written statement, which was ready for filing on 15.07.2025. She further prays that the present petition be allowed.

4. Learned counsel for the petitioners further submits that now the case before the learned Civil Judge (Junior Division), Gurugram is fixed for 02.09.2025 and since the written statement as well as the receipt of payment of cost dated 15.07.2025 is ready therefore, one last opportunity be granted to the petitioners to file the same.

5. I have heard learned counsel for the petitioners and have gone through the file of this case with her able assistance.

6. A perusal of the file shows that the petitioners on affidavit are stating that written statement was prepared and ready for submission on 15.07.2025 and it could not be submitted because it was to be filed along with receipt of payment of cost of Rs.3,000/-. Further because of the technical glitch in the server, the receipt of deposit of cost was received at 03:00 p.m. on 15.07.2025 and by that time, the impugned order was passed. The copy of receipt of DLSA, which is dated 15.07.2025 is attached with the present petition as Annexure P-3.

7. In view of the above, the present petition is allowed. Order dated 15.07.2025, passed by the learned Civil Judge (Junior Division),



Gurugram, is set aside to the extent of striking off the defence of the petitioners/defendants.

8. Learned Civil Judge (Junior Division), Gurugram, is directed to permit the petitioners/defendants to file written statement on the next date of hearing i.e. 02.09.2025.

August 29th, 2025

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**(SUDEEPTI SHARMA)
JUDGE**

Whether speaking/reasoned : *Yes/No*
Whether reportable : *Yes/No*