



2026:PHHC:126953

CNR No: PHHC011519202026

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128 IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CR-6767-2026

Date of Decision: September 09, 2026

Balwinder Singh

...Petitioner

Versus

Kawaljit Singh and another

...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Amit Arora, Advocate for the petitioner.

DEEPAK GUPTA, J.(Oral)

Suit for possession of the property in dispute was filed by the respondents herein against the present petitioner, which is now pending before learned Additional Civil Judge (Senior Division), Tarn Taran. Defendant – petitioner put in appearance for the first time on 10.04.2026 and despite availing adequate opportunities, he failed to file written statement, compelling the trial Court to strike off his defence by way of the order dated 20.08.2026 (Annexure P-3). The aforesaid order is now assailed before this Court.

2. Learned counsel does not dispute the fact that adequate opportunities were availed, but makes a request to grant one last opportunity to the petitioner to file written statement, otherwise his valuable rights in the landed property shall be affected.

3. Having considered submissions of learned counsel for the petitioner and considering that valuable rights in the landed property of the petitioner are involved, which should not be prejudiced, this Court directs the trial Court to grant one more opportunity to the petitioner to file the written statement, but subject to payment of ₹10,000/- as costs payable by way of a demand draft in favour of the respondent – plaintiff. It is made



clear that there is no illegality or perversity in the impugned order dated 20.08.2026 whereby the defence of the petitioner was struck off, but it is just to avoid the prejudice to the rights of the petitioner that this opportunity has been granted. It is informed that the next date of hearing before the trial Court is 11.09.2026 on which date, the petitioner shall tender the costs as imposed by this Court and then the trial Court will fix a date for filing the written statement.

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

Disposed of.

September 09, 2026

sarita

Whether reasoned/speaking:
Whether reportable:

(DEEPAK GUPTA)
JUDGE

Yes/No
Yes/No