



CNR No: PHHC011608152026

2026:PHHC:136277



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

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**CR-7173-2026 (O&M)**

**Date of decision : 22.09.2026**

**RAJEEV KUMAR (SINCE DECEASED) THROUGH LRS AND ORS**

**..... Petitioners**

**VERSUS**

**JIT SINGH**

**..... Respondent**

**CORAM : HON'BLE MR. JUSTICE DEEPINDER SINGH NALWA**

Present :- Mr. Akash Manocha, Advocate and  
Mr. Himanshu Singla, Advocate  
for the petitioners.

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**Deepinder Singh Nalwa, J. (Oral)**

1. The present revision has been filed against the order dated 14.08.2026 (Annexure P-6) passed by the trial Court, whereby the defence of the petitioners-defendants has been struck off on the ground that the petitioners-defendants did not file written statement.

2. A perusal of the order dated 14.08.2026 (Annexure P-6) would show that number of opportunities were granted to the petitioners-defendants to file written statement. However, despite availing numerous opportunities, the petitioners-defendants failed to file the same and as a consequence thereof, their defence was struck off.

3. Aggrieved against the above said order dated 14.08.2026 (Annexure P-6), the petitioners-defendants have filed the present revision petition before this Court.

4. Learned counsel appearing on behalf of petitioners-defendants submits that although number of opportunities were given to the petitioners-



defendants to file the written statement, it could not be filed on time due to the death of petitioner/defendant No.1-Rajeev Kumar on 09.10.2025. He further submits that only one effective opportunity may be granted to the petitioners-defendants to file the written statement.

5. After hearing learned counsel appearing on behalf of the petitioners-defendants, it is not in dispute that petitioner/defendant No.1-Rajeev Kumar (represented through LRs), expired on 09.10.2025. Taking into consideration the above said facts, it cannot be held that the petitioners-defendants intentionally or deliberately delayed filing of the written statement.

6. Accordingly, the impugned order dated 14.08.2026 (Annexure P-6) is set aside. The trial Court is directed to give one effective opportunity to the petitioners-defendants to file their written statement, subject to payment of costs of Rs.2,500/- to be paid to the respondent-plaintiff. No further extension of time or adjournment shall be granted for this purpose. In case, the petitioners-defendants fail to pay the costs or fails to file written statement before the trial Court, the order passed by this Court shall automatically stand withdrawn and the order passed by the trial Court dated 14.08.2026 (Annexure P-6) shall stand revived.

7. In view of above, the present revision petition is disposed of in above said terms.

8. Pending application(s), if any, shall also stand(s) disposed of accordingly.

**(DEEPINDER SINGH NALWA)**  
**JUDGE**

**22.09.2026**

Rimpal

Whether speaking/reasoned  
Whether Reportable :

Yes/No  
Yes/No