

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Civil) No(s). 15632-15636/2011

(Arising out of the impugned judgments and final orders dated 31.1.2011 passed by the Punjab and Haryana High Court at Chandigarh in a batch of Civil Revisions, being Civil Revision Nos. 673 to 677 of 2011)

KAPIL DEV

Petitioner(s)

VERSUS

TARSEM SINGH AND ORS. ETC. ETC.

Respondent(s)

(With prayer for interim relief and office report )

Date: 30/09/2013 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SURINDER SINGH NIJJAR  
HON'BLE MR. JUSTICE FAKKIR MOHAMED IBRAHIM KALIFULLA

For Petitioner(s)

Ms. Madhumeet Kapoor, Adv.  
Mr. S.K. Sabharwal, Adv.

For Respondent(s)

Ms. Anindita Saha, Adv.  
Mr. Sonal Jain, Adv.

UPON hearing counsel the Court made the following  
O R D E R

By the impugned order, the High Court has struck out the defence of the petitioner since the petitioner has failed to file the written statement after having been given three "last opportunities".

Learned counsel for the petitioner submits that the petitioner is prepared to pay heavy costs in case one "last opportunity" is granted for filing the written

statement in the civil suit so that the same can be decided on merits.

Learned counsel for the respondents, however, submits that the order passed by the High Court does not call for any interference, as the petitioner has been continuously negligent in not complying with the orders passed by the Trial Court.

Having considered the submissions made by the learned counsel, we are of the opinion that it would be in the interest of justice to grant one more "last opportunity" to the petitioner to file the written statement on payment of Rs.10,000/- as costs to be deposited with the Supreme Court Legal Services Committee within two weeks. Ordered accordingly.

It is, however, made clear that only one opportunity will be given to the petitioner to file the written statement on payment of Rs.10,000/- as costs.

The special leave petitions are, accordingly, disposed of.

(Sukhbir Paul Kaur)  
Court Master

(Indu Bala Kapur)  
Court Master