

Court No. - 6

Case :- MATTERS UNDER ARTICLE 227 No. - 6115 of 2023

Petitioner :- Dhan Prakash Budhraj And Another

Respondent :- Civil Judge-Junior Division (Hawali), Court No-57, Lko. And 4 Others

Counsel for Petitioner :- Manoj Kumar Gupta

Hon'ble Rajnish Kumar,J.

Vakalatnama filed by Shri Mukund Tiwari, Advocate on behalf of the respondent no.2 is taken on record.

Heard Shri B.P. Singh Dhagre, Advocate alongwith Shri Manoj Kumar Gupta, learned counsel for the petitioners.

This petition has been filed for a direction to conclude the trial of pending Regular Suit No.3235 of 2019 titled as Dhan Prakash Budhraj and Another Vs. M/S M.I. Builders Pvt. Ltd. and Others.

Admittedly, an application for amendment under Order-6, Rule-17 has been filed by the petitioners on 16.02.2023 as disclosed in paragraph-19 of the petition which is still pending, therefore, at this stage, no direction can be issued for a direction for disposal of the suit when the petitioner himself has moved an application for amending his pleading.

At this stage, learned counsel for the petitioners submits that the petition may be dismissed as not pressed with liberty to file fresh for disposal of the application filed by the petitioner in case the same is not disposed of within a reasonable period.

Dismissed accordingly as not pressed with liberty as aforesaid.

As prayed by learned counsel for the petitioner, the office is directed to return the certified copy/copies annexed with this petition to the learned counsel for the petitioner in accordance with law after keeping photocopy/photocopies on record.

(Rajnish Kumar, J.)

Order Date :- 6.12.2023

Haseen U.