

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Civil Revision No.5534 of 2015
Date of Decision: November 02, 2015

E.M.C.I.P.I. Electronics Privated Limited, New Delhi

...Petitioner

Versus

Subodh Kumar Nayyar & others

...Respondents

CORAM: HON'BLE MR.JUSTICE AMIT RAWAL, JUDGE

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Present: Mr.Chetan Mittal, Senior Advocate with
Mr.Vishal Garg, Advocate,
for the petitioner.

Mr.Avnish Mittal, Advocate,
for respondent No.1.

AMIT RAWAL, J. (Oral)

After arguing for some time, both the learned counsel representing the parties, are *ad idem* that they would be satisfied in case, instead of directing the trial Court to ponder upon the issues with regard to maintainability of the suit and limitation, direction is issued to decide the suit as expeditiously as possible within a period of six months.

The present revision has been filed at the instance of petitioner-defendant No.8 against the dismissal of their application filed under Order 7 Rule 11 CPC on various grounds.

It is a matter of record that another application regarding the maintainability of the suit, i.e., simpliciter suit of declaration is stated to be pending.

In view of the statement of the learned counsel for the parties and without commenting on the merits and de-merits of the case, the present revision petition is disposed of with the following directions:-

- 1) The trial Court shall frame the issue with regard to maintainability of the suit and as well as the limitation and other issues which the parties may impress and raise from the pleadings;
- 2) On framing of issues, both plaintiff and defendants shall be given 4-4 effective opportunities spanning over a period of 2½ months each to lead evidence; and
- 3) The trial Court shall decide the suit in accordance with law within a period of six months by 30.6.2006.

November 02, 2015
ramesh

(AMIT RAWAL)
JUDGE