

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

**CR-670-2015 (O&M).
Decided on: April 30, 2015.**

SIRI KISHAN GUPTA

..... Petitioner(s)

Versus

M/S RELIANCE HARYANA SEZ LTD & ANR

..... Respondent(s)

* * *

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

**PRESENT Mr.Kunal Mulwani, Advocate,
for the petitioner.**

M.M.S. BEDI, J (ORAL).

Vide impugned order dated 20.11.2014 the application under Section 10 CPC filed by the petitioner- defendant to stay the proceedings in a suit filed by respondent No.1 has been dismissed.

Counsel for the petitioner seeks permission to withdraw this petition with liberty to avail the alternative remedy available to him as a defendant to either move an application for non-maintainability of the suit being barred by law or to take the plea of non-maintainability of the suit in the written statement or to claim adjudication of the second suit by seeking framing of a preliminary issue in case law so permits.

Disposed of as withdrawn with the aforesaid liberty.

**April 30, 2015.
rka**

**(M.M.S. BEDI)
JUDGE**