

114.

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

Civil Revision No.7277 of 2015 (O&M)

Date of decision:03.12.2015

YouTube LLC and another

... Petitioners

versus

M/s Shree Krishna International and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr.Sanjeev Manrai, Senior Advocate,
with Mr.Jaideep Verma and Mr. Praveen Sehrawat,
Advocates, for the petitioners.

Mr. Mayank Mathur, Advocate,
for the respondents.

1. Whether reporters of local papers may be allowed to see the judgment ? No.
2. To be referred to the reporters or not ? No.
3. Whether the judgment should be reported in the digest ? No.

K.Kannan, J. (Oral)

CM No.25224-CII of 2015

Application is for early hearing of the petition.

For the reasons stated in the application, the same is allowed and with the consent of both parties, the case is advanced today.

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1. The defendant, who obtained a single opportunity to let in his evidence, did no more than filing an affidavit of a person who

was living in USA and the court being unimpressed closed the evidence. The defendant is aggrieved.

2. I have no faith that any case could be disposed of only on the number of opportunities which the court grants. There is no discipline at the trial courts and smooth flow of trial is in a complete state of disarray and if any court can comply with the directions, it is purely a blessing for the parties. I will not make much of the fact that the defendant did not conclude his evidence on one opportunity. Here is a global software giant company who plays truant and would set its own convenience about how and when it will conclude its evidence. There will be as many as opportunities as the court thinks it appropriate and the plaintiff is all at liberty to make opposition at every stage. The court will do what is exigent to only ensure that the trial is concluded within a reasonable time and impose stringent costs that the cash rich petitioner company could well afford every time when adjournment is asked for.

3. The counsel for the respondents has serious objection that the petitioner went to Supreme Court against notice of motion order declining the order of stay of trial of suit which only shows that the defendant is as desperate as this court itself feels helpless in the manner of how trials are conducted.

4. The order already passed is set aside and the defendant will be at liberty to bring his evidence on the day which the court

fixes. I only implore the parties and the counsel to act with responsibility and do not unnecessarily cause delay in the conduct of the case at the trial.

5. Civil revision is allowed on the above terms.

(K.KANNAN)
JUDGE

03.12.2015
sanjeev