

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

C.M No.21756-CII of 2016 in/and

C.R. No.4845 of 2016 (O&M)

Date of Decision.25.10.2016

Metal Links

.....Petitioner

Vs

M/s N.L. Engineering Pvt. Ltd. and another

.....Respondents

Present: Mr. Nitin Jain, Advocate
for the petitioner.

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

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AMIT RAWAL J. (ORAL)

With the consent of the counsel, the hearing of the main case is preponed for today itself.

The revision petition is against the order whereby the additional evidence sought to be placed by the petitioner-plaintiff has been declined.

This Court on 01.08.2016 issued notice of motion for 06.09.2016 and notice regarding stay as well. Service in the main revision petition has been effected upon the respondents but during the interregnum, the evidence has been closed and the suit has been dismissed. Since the order impugned out of which revision petition has arisen is no more in existence due to disposal of the main suit itself, the petitioner-plaintiff shall be entitled to challenge the judgment and decree passed, by taking the aid of provisions of Order 43 Rule 1-A CPC.

For the reasons aforementioned, no cause of action survives and the revision petition is disposed of with the liberty aforementioned.

**(AMIT RAWAL)
JUDGE**

October 25, 2016
Pankaj*