

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

C.R. No.6994 of 2016 (O&M)

Date of Decision.21.11.2016

2. C.R. No.7251 of 2016

Municipal Corporation Faridabad

.....Petitioner

Vs

M/s Orient Steel & Industries Ltd.

.....Respondent

Present: Mr. Sharad Aggarwal, Advocate for
Mr. Lokesh Sinhal, Advocate
for the petitioner.

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

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AMIT RAWAL J. (ORAL)

This Court vide order dated 20.10.2016, had asked for the report of the concerned Judge who passed the impugned order. The report has been received.

In view of the factum of the report as well as the interim order, which has already been extracted in my previous order, the impugned order is set aside as it does not express any reasons, much less, cogent reasons. The Court below ought to have referred to the contentions or memorandum of appeal if injunction has to be given in respect of the finding given by the trial Court accordingly. If at all, the lower Appellate Court had some difference in opinion, it could have recorded the reasons for the same by taking into consideration the memorandum of appeal.

The impugned order is set aside and both the cases are remitted back to the lower Appellate Court to decide the misc. appeals afresh.

Parties are directed to appear before the lower Appellate Court with their counsel on 08.12.2016.

The aforementioned order is being passed in the absence of the respondent as it is necessary not only for defraying the litigating expenses but for avoiding the delay in adjudication of the controversy raised in the present revision petitions.

In view of the reasons aforementioned, both the revision petitions are disposed of with the above observations.

(AMIT RAWAL)
JUDGE

November 21, 2016
Pankaj*