

**HIGH COURT FOR THE STATES OF PUNJAB & HARYANA AT
CHANDIGARH**

CR No.1477 of 2017 (O&M)

Date of Decision:13.9.2017

M/s Rosemerry Buildcon Pvt. Ltd. and others

...Petitioners

Versus

M/s Chevron Buildcon Pvt. Ltd.

...Respondent

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr.Amit Jain, Advocate for the petitioners.
Ms.Promila Nain, Advocate for the respondent.

RAMESHWAR SINGH MALIK, J. (Oral)

Feeling aggrieved against the impugned order dated 15.2.2017 (Annexure P-3) passed by the learned trial Court, whereby their evidence was ordered to be closed, defendants have approached this Court by way of instant civil revision petition under Article 227 of the Constitution of India, for setting aside the impugned order.

Notice of motion was issued, subject to deposit of Rs.20,000/- by the petitioners in the registry of this Court.

Heard learned counsel for the parties.

Learned counsel for the respondent-plaintiff, at the very outset, fairly states that let the present revision petition be allowed by setting aside the impugned order dated 15.2.2017 and the amount of Rs.20,000/- deposited by the petitioners with the registry of this Court, in compliance of notice of motion order dated 2.3.2017, be ordered to be paid to the plaintiff-respondent.

Faced with the above, learned counsel for the petitioners also fairly states that he has got no objection to the proposal put forth by the learned counsel for the respondent.

In view of the above, instant revision petition is allowed. The impugned order dated 15.2.2017 passed by the learned trial court, closing the evidence of the defendants is set aside. The learned trial court is directed to grant one more opportunity to the defendants-petitioners to conclude their remaining evidence. The amount of Rs.20,000/-, deposited by the petitioners with the registry of this Court, in compliance of notice of motion order dated 2.3.2017, is ordered to be paid to the plaintiff-respondent against proper receipt.

Resultantly, with the above-said observations made and directions issued, the present civil revision petition stands allowed, however, with no order as to any additional costs.

13.9.2017
mks

(RAMESHWAR SINGH MALIK)
JUDGE

Whether Speaking/reasoned : Yes/No
Whether Reportable : Yes/No