

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

CRM-M-20838-2017

Date of Decision : 02.06.2017

M/S APPLIED ELECTRICALS

....PETITIONER

VERSUS

M/S NORISYS TECHNOLOGY LTD.

....RESPONDENT

CORAM : HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Gaurav Kathuria, Advocate
 for the petitioner.

AMOL RATTAN SINGH, JUDGE (ORAL)

Learned counsel for the petitioner submits that one of the partners of the petitioner firm, i.e. Shri Parkash Reddy, was present before the trial Court on 26.05.2017 and had filed an application before that Court seeking an adjournment on the ground that his counsel was in some personal difficulty, he having to go out of station. A copy of the said application has been annexed as Annexure P6 with the present petition.

However, he submits that even his counsel, Shri Amit Singh, Advocate, was shown to be present before the trial Court in its impugned order, and defence evidence was closed on that day itself.

It is seen that prior to that, three opportunities had been granted to the petitioner for production of defence witnesses and for arguments, the first on 23.03.2017, then on 29.04.2017 and finally on 26.05.2017, with the last two being “last opportunities”.

Hence, the trial Court cannot be faulted for actually closing the defence evidence.

However, learned counsel for the petitioner submits that the petitioner firms' partners are residents of Hyderabad and as such, two opportunities to lead defence evidence be granted to them.

Consequently, the trial Court is directed to provide two opportunities only, upon payment of Rs.50,000/- as costs, after which defence evidence shall stand “automatically” closed.

Disposed of.

June 02, 2017

dinesh/rajneesh

**(AMOL RATTAN SINGH)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No