

In the High Court of Punjab and Haryana, at Chandigarh

Civil Revision No. 6566 of 2019

Date of Decision: 21.01.2020

Epicor Software Corporation

... Petitioner(s)

Versus

Allengers Medical Systems Ltd. and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal

Present: Mr. Rohan Mittal, Advocate
for the petitioner(s).

Anil Kshetarpal, J.

The defendant No.1 has filed this revision petition against order passed by the learned trial Court dismissing its application under Order I Rule 10 CPC for deleting its name from array of respondents.

The defendant No.1 claims that it does not have any privity of the contract with the plaintiff and therefore, it is neither proper nor necessary party.

The learned trial Court, on consideration of material available on the file, has held that the allegations made in the application by defendant No.1 in support of prayer for deletion of its name are required to be considered on the basis of evidence produced in support thereof. The Court has noticed that the plaintiff has claimed that all the defendants are individually and jointly cheated the plaintiff company by not completing the commitment made.

In view thereof, there is no ground to interfere. As such, present petition shall stand dismissed.

(Anil Kshetarpal)
Judge

January 21, 2020
“DK”

Whether speaking/reasoned :Yes/No

Whether reportable : Yes/No