

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

**CR-461-2021**

**Date of Decision: 02.03.2021**

M/s Rajinder Earthmover Filling Station Pvt. Ltd. and another  
...Petitioners

Versus

A2z Waste Management (Ldh) Ltd. and Others  
...Respondents

**CORAM: HON'BLE MR. JUSTICE ARUN MONGA**

**Present:** Mr. S.P.Soi, Advocate,  
For the petitioners.  
(Presence marked through video conference).

**ARUN MONGA, J. (ORAL)**

Grievance of the petitioners herein is against non-adjudication of the application seeking to strike off the defence of defendants No.1, 2 and 5 for non-filing of the written statement when the suit is time barred.

On a query of this Court, learned counsel for the petitioners submits that petitioners are aggrieved as more than one year has lapsed since the filing of the same.

No grounds to interfere are made out as the aforesaid application is still pending. I see no reason why the trial Court would not take up the same in due course and dispose it of in accordance with law.

Confronted with the situation, when this Court showed disinclination to interfere, learned counsel for the petitioners seeks permission of this Court to withdraw the instant petition with liberty to approach the trial Court by filing appropriate application.

Dismissed as withdrawn with liberty aforesaid.

**March 02, 2021**  
vandana

**(ARUN MONGA)**  
**JUDGE**

Whether speaking/reasoned:  
Whether reportable:

Yes/No  
Yes/No