

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(215)

CR No. 929 of 2020 (O&M)
Date of Decision : 22.04.2021

Bhupesh Bajaj and another

...Petitioners

Versus

Bhagwati Durga Ji Mandir

...Respondent

(through video conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Kunal Dawar, Advocate for the petitioners.

Mr. Harsh Aggarwal, Advocate for the respondent.

Harsimran Singh Sethi J. (Oral)

CM-3181-CII-2020

Present application has been filed seeking condonation of delay of 15 days in re-filing the appeal.

Keeping in view the averments made in the application, which are duly supported by an affidavit, the same is allowed and delay of 15 days in re-filing the appeal is condoned.

CR No. 929 of 2020

Learned counsel for the petitioners argues that though, the appellate authority vide order dated 06.11.2019, which order has been impugned in the present Civil Revision, has already remanded back the case to the trial Court for afresh decision but petitioners are apprehensive that the

observation of the Court as recorded in the said order, will come in the way of the petitioners as the trial Court is likely to be influenced by the same while passing a fresh order.

Learned counsel for the respondent submits that the trial Court will only decide the issues framed on the basis of the material placed before the said Court by way of an evidence and the apprehension of the petitioner is mis-placed.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

The present Civil Revision is disposed of with the observation that the trial Court will decide the issues framed on the basis of the evidence led in accordance with law and will not be influenced in any manner by the observation which the appellate authority has made in the order dated 06.11.2019.

As the Civil Revision has been disposed of, other miscellaneous applications also stand disposed of.

April 22, 2021
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No