

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL REVISION APPLICATION NO.07 OF 2022

(Strongbuilt Construction Pvt. Ltd. & ors. Vs. Shri B.R. Agrawal Timbers and Suppliers, Nagpur)

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri C.R. Sharma, Advocate for the applicants.
Shri Dara Singh Sindhu, Advocate for the non-applicant.

CORAM : M.S. KARNIK, J.
DATED : APRIL 20, 2022.

Heard learned counsel for the parties.

2. I have perused the impugned order dated 04/01/2022 in S.C.C. No.190/2021 passed by the Civil Judge, Senior Division, Nagpur.

3. My attention is invited by learned counsel for the applicants to a decision of recent origin of the Supreme Court in the case of **B.L. Kashyap and Sons Ltd. Vs. M/s. JMS Steels and Power Corporation and another arising out of SLP (C) No.19413 of 2018** on the question of grant of leave to defend.

4. Learned counsel for the parties jointly request that the impugned order be set aside by consent. Considering the totality of the circumstances, without making any observations, the impugned order is set aside by consent.

5. The trial Court to hear the application below Exh. 15 afresh on its own merits and in accordance with law without being influenced by the observations made

in the order dated 04/01/2022. I may not be understood to have made any observations on merits of the contention. All contentions in that respect are kept open.

6. The civil revision application is disposed of accordingly.

(M.S. KARNIK, J.)

**DB*