

**In the High Court of Punjab and Haryana, at Chandigarh**

**Civil Revision No. 8419 of 2017 (O&M)**

**Date of Decision: 15.03.2022**

M/s Durga Softelecom Private Limited

... Petitioner(s)

Versus

M/s Aricent Technologies (Holdings) Limited

... Respondent(s)

**CORAM: Hon'ble Mr. Justice Anil Kshetarpal.**

Present: Mr. Randeep Singh Surjewala and Mr.R.Kartikeya, Advocates  
for the petitioner(s).

Mr. Aashish Chopra, Senior Advocate  
with Prateek Sodhi and Mr.Yash Pal Sharma, Advocates  
for the respondent.

**Anil Kshetarpal, J.**

1. The order under challenge was passed by the trial Court in exercise of the powers under Order XXXIX Rules 1 and 2 CPC. The same is appealable in accordance with Order XLIII Rule 1(r) CPC read with Section 13 of the Commercial Courts Act, 2015.
2. In view of the above, the petitioner is relegated to an alternative remedy. The petitioner shall be entitled to file an application under Section 14 of the Limitation Act, 1963, for seeking the exclusion of the time spent in this Court, for the purpose of calculating the limitation.
3. With the observations made above, the present revision petition is disposed of.
4. The miscellaneous application(s) pending, if any, shall also stand disposed of.

**(Anil Kshetarpal)**  
**Judge**

**March 15, 2022**

**“DK”**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No