

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

CR-4209-2022 (O&M)

Date of Decision : 28.10.2022

RHJ Tubes Pvt. Ltd.

....Petitioner

VERSUS

Ramesh Sharma and Another

....Respondents

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Pushpinder Kaushal, Advocate for the petitioner.

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ALKA SARIN, J. (Oral)

The limited prayer in the present petition is for issuance of directions to the Trial Court to decide the suit expeditiously, which has been filed under the Commercial Courts Act, 2015.

The suit itself was filed on 23.11.2021. A notice of the suit was issued to the defendant-respondents for 16.12.2021. On 16.12.2021 the defendant-respondents had put in appearance and since there were five different applications, the case was adjourned to 13.01.2022 for filing of replies to the applications. It has been mentioned in the order that a long adjournment will be given due to winter vacations. On 13.01.2022 reply was filed to the five different applications by the plaintiff-petitioner. The Court had gone into restrictive working on account of the Pandemic Covid-19 and in view of letter No.120/RG/Spl./Misc. dated 03.01.2022 received from this Court the case was adjourned for filing of reply to the three applications filed on behalf of the plaintiff-petitioner to 24.02.2022.

Similarly, on 24.02.2022 in view of the letter No.120/RG/Spl./Misc. dated 03.01.2022, the Trial Courts were working restrictively on account of Pandemic COVID-19 and the case was adjourned for reply by the defendant-respondents to 29.03.2022. On 29.03.2022 reply was filed and it was adjourned for consideration to 02.05.2022. It is apt to note that the counsel for the plaintiff-petitioner was not present on 29.03.2022 and a proxy counsel had appeared on his behalf. Thereafter on 02.05.2022 the case was adjourned to 12.07.2022 on request. It is again to be noted that a proxy counsel had appeared on behalf of the counsel for the plaintiff-petitioner on 12.07.2022 and again the case was adjourned on request to 12.08.2022. This time the counsel for the defendant-respondents was represented by a proxy counsel. On 10.08.2022 the case was adjourned to 13.09.2022 as the Judicial Officer was availing casual leave on 12.08.2022. Thereafter, the matter was taken up on 09.09.2022 and adjourned as the Judicial Officer was availing earned leave w.e.f 12.09.2022 to 23.09.2022. The matter now stands adjourned to 01.11.2022.

In view of the above noticed facts, I do not find any merit in the present revision petition which is accordingly dismissed. Pending applications, if any, also stand disposed off.

October 28, 2022
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(ALKA SARIN)
JUDGE

NOTE : Whether speaking/non-speaking : Speaking
Whether reportable : YES/NO