

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

246

CR-176-2023
Date of Decision : 31.07.2023

M/s Yamuna Warehousing Company Pvt. Ltd.Petitioner

Versus

Vidhya and othersRespondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present : Mr. Satyam Arora, Advocate for
Mr. C.M. Munjal, Advocate for the petitioner.

Mr. Rajbir Singh, D.A.G., Haryana
for respondents No.5 to 7.

NAMIT KUMAR, J. (ORAL)

The petitioner has filed the present revision petition challenging the impugned order dated 21.09.2022 (Annexure P-5) passed by learned Civil Judge (Junior Division), Faridabad to the extent that an application under Section 7 Rule 11 of CPC was to be allowed in toto, in addition to the ground of court fee, the suit was hopelessly time barred and the plaint was liable to be rejected.

Learned counsel for the petitioner submits that since the suit has already been dismissed for non-prosecution vide order dated 22.05.2023 passed by the trial Court, therefore, nothing survives in the present petition at this stage. He seeks liberty to file a fresh petition on the same cause of action in case the suit is restored to its original number.

Disposed of as having become infructuous with liberty as aforesaid.

31.07.2023
Kothiwal

(NAMIT KUMAR)
JUDGE

Whether Speaking/reasoned

Yes/No

Whether Reportable

Yes/No