

Regent Automobiles Private Limited

....Petitioner

versus

United India Insurance Company Limited and another

....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. Vijay Pratap Singh, Advocate for
Mr. Sunil Kumar Dhanda, Advocate for petitioner.

Mr. Sunil Kumar Pandey, Advocate for
Mr. Vishwajit Bedi, Advocate for respondent No.1.

ARUN MONGA, J. (ORAL)

Present revision petition is to set aside impugned order dated 29.08.2018 (Annexure P-4) passed by learned Civil Judge (Junior Division), Faridabad Court whereby application for additional evidence (Annexure P-1) filed by petitioner-defendant, was dismissed in a suit for recovery of Rs.12,19,000/- filed by respondents herein.

2. Despite, revision petition having been filed way back in the year 2018, no steps have been taken to effectively address arguments on behalf of petitioner. Matter was taken up on 15.01.2019 and following order was passed:

“The arguing counsel for the petitioner is stated to be out of station.

Request for an adjournment is made on his behalf.

Adjourned to 25.04.2019.

Learned counsel for the parties are granted last opportunity to argue the matter.”

3. Despite above order, yet again time was sought and one last opportunity was granted to argue the matter. Thereafter, matter came up on 25.04.2019, but still time was granted to address arguments. Further, on resumed hearing on 13.05.2022, none appeared on behalf of petitioner and in the interest of

justice, case was adjourned to 19.07.2022. Resultantly despite grant of three last opportunities, when matter was called out for hearing today, it is stated that arguing counsel is not available and he has requested his proxy counsel Mr. Vijay Pratap Singh, Advocate to appear and seek adjournment. On being asked to argue, learned proxy counsel submits that he neither has the file nor has any instructions. He is only appearing as an act of professional courtesy on behalf of his colleague.

4. Be that as it may, even in the cause list, this Court has stated that *“it has come to the knowledge of this court that frequently the ld. counsels are taking adjournments without filing the adjournment slips, causing inconvenience not only to learned opposite counsels but to the court as well. Henceforth, no adjournment request shall be entertained unless there is an adjournment slip filed in registry after obtaining prior no objection certificate (noc) from learned opposite counsel.”*

4.1. Notwithstanding, no adjournment slip has been filed while on the other hand, learned counsel for respondent No.1 is opposing the adjournment for not being intimated in advance as he has prepared case for arguments.

5. In the aforesaid premise, I am not inclined to grant any further adjournment.

6. Dismissed.

7. Pending application(s), if any, shall also stand disposed of.

(ARUN MONGA)
JUDGE

March 01, 2023

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No