

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

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CWP-12217-2023

Date of decision: 31.05.2023

M/S CUTE PRODUCTS (INDIA)

.....Petitioner

VERSUS

DISTRICT LEVEL MICRO AND SMALL FACILITATION
COUNCIL, LUDHIANA AND OTHERS

.....Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Amarbir Singh Pahwa, Advocate
for the petitioner.

VINOD S. BHARDWAJ, J. (Oral)

The instant petition has been filed under Articles 226/227 of the Constitution of India for setting aside the order dated 20.04.2023 (Annexure P-1) passed in the 274th Arbitration Proceedings Meeting of District Level Micro and Small Facilitation Council, Ludhiana.

Learned counsel appearing on behalf of the petitioner contends that the respondent has been directed to file the written arguments by the next date of hearing without affording any opportunity to file his evidence. He prays that one opportunity may be granted to him to lead evidence and also file the written arguments.

Taking into consideration the prayer made and the order which this Court intends to pass, there is no reason as to why the petitioner should not be granted an opportunity to place relevant evidence/document on record to establish his defense. He further

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undertakes that the case is already listed for submission of written arguments tomorrow i.e. 01.06.2023 and that he shall also file his evidence (in the form of an affidavit alongwith the supporting documents) alongwith his written arguments and would not require any other opportunity to do so.

Accordingly, without commenting on the merits of the case and in order to further the equities and to balance the inter se rights, the prayer of the petitioner is accepted. He is granted one opportunity to file his evidence alongwith written arguments as directed by the District Level Micro and Small Facilitation Council, Ludhiana on **01.06.2023** subject to payment of a cost of **Rs. 5,000/- to be paid to the claimant.**

A copy of this order be given to the learned counsel appearing on behalf of the petitioner under the signatures of Bench Secretary of this Court.

The present petition is disposed of.

(VINOD S. BHARDWAJ)
JUDGE

MAY 31, 2023

Vishal sharma

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No