

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

117

CR-3791-2023 (O&M)

Date of Order: 07.07.2023

MAHABIR SINGH

.Petitioner

Versus

DR. ANURAG BISHNOI

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Ajit Singh Lamba, Advocate
for the petitioner.

ANIL KSHETARPAL, J

1. The petitioner herein is a defendant in a pending suit which was filed for an infringement of the terms of the agreement. The courts at Gurugram were conferred exclusive jurisdiction as per the agreement. Even the First Appellate Court has found that no part of cause of action arose at Gurugram. In fact, the part of action arose at Hisar where the suit has been instituted.

2. As per the agreement, the petitioner was to install and operate two capsule lifts in the Banquet Hall constructed by the respondent. It is the case of the plaintiff that the petitioner failed to install the two capsule lifts though even after receipt of a substantial amount. The office and the factory premises of the company is at Delhi. Only one of the Directors resides at Gurugram.

3. Keeping in view the aforesaid facts, no ground to interfere, in exercise of the revisional jurisdiction, is made out.

4. However, it is clarified that the observations made by the First Appellate Court shall not be construed final expression on the merits of the case and the trial court shall independently decide the matter.

- 5. Disposed of accordingly.
- 6. All the pending miscellaneous applications, if any, are also disposed of.

July 07, 2023
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned :YES/NO
Whether reportable :YES/NO