

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARHCR-1033 of 2019 (O&M)
Date of Order:07.03.2024

Smt. Amudha Lavanya Santhanakrishnan

.Petitioner

Versus

Response Tek (India) Pvt. Ltd. and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Shireesh Gupta, Advocate
for the petitioner.ANIL KSHETARPAL, J

1. This revision petition has been filed by the plaintiff to challenge the correctness of the following order passed by the trial court on 30.01.2019:-

“Notice of defendant no.2,3,4,6 & 8 not issued as copy not filed. Written statement by defendant no.5 filed. Copy supplied. Two separate applications under Rule 7 Rule 11 and under Section 8 of Arbitration and Conciliation has been filed on behalf of defendant no.5. Copy supplied. The counsel for the plaintiff has submitted that he had appeared on 26.12.2018 and first week of January, 2019. On 26.12.2018 was not court working day. The plaintiff had amply opportunity upto 21.12.2018 to file RC. It appears that plaintiff has been negligence and complacent. Therefore, plaintiff does not deserve laxity in this regard. The case is pending for service of the defendant since long. Notice has not been issued as copy not filed. Therefore, ex-parte stay earlier granted is ordered to be vacated.

Reply by plaintiff to the applications under Rule 7 Rule 11 and under Section 8 of Arbitration and

Conciliation be filed on 15.03.2019. Notice to defendant no.2,3,4,6 and 8 through RC/AD on filing of copy of plaint and RC be issued for the said date.”

2. On 13.02.2019, the notice of motion was issued and no interim protection was granted. The petitioner admits that a fresh application before the trial court has already been filed for grant of interim protection.
3. Keeping in view the aforesaid facts, the revision petition is disposed of with liberty to the petitioner to pray for the appropriate orders before the trial court in the fresh application.
4. All the pending miscellaneous applications, if any, are also disposed of.

March 07, 2024
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned: YES/NO

Whether reportable: YES/NO