

Ramesh Chand Aggarwal

...Petitioner

Versus

Amit Kumar and others

...Respondents

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH

Present: Mr. Divyanshu Jain, Advocate
for the petitioner.

GURBIR SINGH, J. (ORAL)

1. The present revision petition has been filed under Article 227 of the Constitution of India seeking directions to the Telecom Companies for preservation of the call records and further seeking directions to the trial Court to decide the application for preservation of the call records for the month of March, 2022 of the numbers detailed in the application attached with the petition pending in the Civil Suit No.521 of 2023 titled as “*Amit Kumar Vs. Ramesh Chand Aggarwal*”.
2. Counsel for the petitioner *inter alia* submits that an application under Section 151 of CPC for the preservation of the mobile records for the month of March, 2022 of the concerned parties has been filed before the trial Court and as per rules the Telecom Companies are required to keep the records for the period of 2 years. The application was moved on 05.07.2023 (Annexure P-3) and the same is not decided yet. He further submits that after two years his application would become infructuous. He further submits that he would be satisfied if his application (Annexure P-3) may be decided in the month of March itself otherwise the petitioner would suffer a lot.
3. Without discussing the merits of the case, the instant petition is

allowed. The Courts are required to assist the parties in such a manner that by inaction of the Court or any action of the Court, no prejudice is caused to the parties so in the interest of justice, this petition is disposed of and the learned trial Court is directed to decide the application (Annexure P-3) on 18.03.2024 itself and in case of any exigency if it is not disposed of on the same day then the same be disposed of within 02 days thereof, positively.

12.03.2024
Parveen kumar

(GURBIR SINGH)
JUDGE

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