

127

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

CR-2623-2024

Date of Decision: 01.05.2024

M/s Devki Nandan and sons

...Petitioner

Versus

M/s Supreme and Company Private Limited

...Respondent

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH

Present: Mr. Aayush Gupta, 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 trial Court, Ludhiana to decide the Civil Suit No.CS/20221/2023 filed under Order 37 of CPC for recovery (Annexure P-1) in a time bound manner.
2. Learned counsel for the petitioner *inter alia* submits that arguments by the petitioner-plaintiff had already been addressed on 20.12.2023 and thereafter again twice have been addressed. In the interim orders it is mentioned that arguments have been heard partly but application for condonation of delay and application for leave to defend are not being disposed of by the concerned Commercial Court. The said interim orders (Annexure P-2) have been placed on the file in support of the contentions.
3. After arguing for some time, learned counsel for the petitioner submits that petitioner would be satisfied if the above mentioned applications are decided in a time bound manner by the Ld. Trial Court (Commercial Court), Ludhiana.
4. I have heard the submissions made by the learned counsel for the petitioner and perused the file.

2. Learned counsel for the petitioner *inter alia* submits that arguments by the petitioner-plaintiff had already been addressed on 20.12.2023 and thereafter again twice have been addressed. In the interim orders it is mentioned that arguments have been heard partly but application for condonation of delay and application for leave to defend are not being disposed of by the concerned Commercial Court. The said interim orders (Annexure P-2) have been placed on the file in support of the contentions.

3. After arguing for some time, learned counsel for the petitioner submits that petitioner would be satisfied if the above mentioned applications are decided in a time bound manner by the Ld. Trial Court (Commercial Court), Ludhiana.

4. I have heard the submissions made by the learned counsel for the petitioner and perused the file.

5. Without commenting upon the merits of the case and keeping in the view the fact that suit is filed for recovery of amount and it is necessary for the concerned Court to decide the above mentioned applications expeditiously. So, the instant petition is disposed of with a direction to the learned trial Court (Commercial Court), Ludhiana to dispose of both the application i.e. one for condonation of delay and another application for leave to defend within a period of three weeks from the date of receipt of the certified copy of this order.

6. Petition stands disposed of.

01.05.2024
Parveen kumar

(GURBIR SINGH)
JUDGE

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