

2024.PHHC:085399



**124+292 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CM-11188-CII, CM-11189-CII &
CM-11365-CII-2024 in/and
CR No.3571 of 2024 (O&M)
Date of Decision: 10.07.2024

NIFD INSTITUTE OF FASHION DESIGN LTD. (INIFD) AND ORS
.....Petitioners

Versus

NURTURING-IDES FOR DESIGN PVT LTD AND ORS
.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Amar Vivek Aggarwal, Advocate and
Ms. Richa Sharma, Advocate for the petitioners.

Mr. Anand Chhibbar, Senior Advocate with
Mr. Shikhar Sarin, Advocate for respondent Nos.1 to 4.

Mr. Amit Jhanji, Senior Advocate with
Ms. Zaheen Kaur, Advocate and
Mr. Sahil Sehrawat, Advocate for respondent No.5.

RAJBIR SEHRAWAT, J. (ORAL)

1. The present revision petition has been filed under Article 227 of the Constitution of India for setting aside the impugned order dated 31.05.2024; along with certain other prayers made in the present petition.

2. Learned counsels for the parties are agreed that since the pleadings of the case before the trial Court are complete or are in the process of being completed, therefore, while extending the interim order dated 19.06.2024 passed by this Court in the present petition, till the decision on the application filed by the petitioner/plaintiff under Order 39 Rules 1 & 2 CPC before the trial Court, the trial Court be directed to take an expeditious decision upon the said application.



3. Accordingly, the present revision petition is disposed of with a direction to the trial Court concerned to take a final decision on the application filed by the petitioner/plaintiff under Order 39 Rules 1 & 2 CPC within a period of two weeks from the date of receipt of certified copy of this order.

4. It is ordered that till the trial Court takes a final decision on the aforesaid application, interim order dated 19.06.2024 passed by this Court shall remain operational.

5. However, mere passing or extension of the interim order passed by this Court shall not be taken by the trial Court as expression on the part of this Court on merits, while considering the application filed by the petitioner/plaintiff under Order 39 Rules 1 & 2 CPC. The trial Court shall take a decision independent of the factum of passing or extending of the interim order passed by this Court.

6. All the pending miscellaneous applications are also disposed of as such.

(RAJBIR SEHRAWAT)
JUDGE

10.07.2024

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Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No