

2024:PHHC:098988



139 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR-4200-2024 (O&M)

Decided on:-31.07.2024

Arvinder Kaur and another

....Petitioners..

vs.

Harinder Singh and others

....Respondents.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Sunny K. Singla, Advocate,
for the petitioners.

HARKESH MANUJA J. (Oral)

1. By way of present revision petition filed under Article 227 of the Constitution of India, prayer has been made for issuance of direction to the trial Court to decide the application for production of original documents, filed in Civil Suit bearing No.CS/227/2022, titled as ***“Arvinder Kaur and another vs. Harinder Singh and others”*** expeditiously preferably in a time bound manner.

2. In the present case, suit for declaration that appellant No.1-plaintiff No.1 is partner to the extent of 25% and appellant No.2-plaintiff No.2 is partner to the extent of 10%, whereas respondent No.1-defendant No.1 to the extent of 35% and remaining respondents No.2 to 5-defendants No.2 to 5 are partners to the extent of 10% each in M/s Libra Rice Mills, Village Kauri, Tehsil Khanna, District Ludhiana, came to be filed at the instance of petitioners/plaintiffs against the respondents-defendants, besides, claiming relief of permanent injunction restraining respondent No.6-

defendant No.6 from releasing any amount to the alleged fabricated and false firm as well as rendition of accounts of the firm.

3. Upon notice, respondents-defendants appeared and filed their written statement along with certain documents. After going through the documents attached with the written statement filed by respondents No.1 & 5, petitioners-plaintiffs found that the forgery has been committed with the signatures of petitioner No.1-plaintiff No.1. Thereafter, the petitioners-plaintiffs moved an application on 22.08.2022 (Annexure P-6), for issuance of directions to respondents No.1 & 5-defendants No.1 and 5 to produce on record all the original documents relied upon by them in the written statement, but till date no reply to the said application has been filed and the suit is being adjourned time and again for the said purpose.

4. Learned counsel for the petitioners submits that the application dated 22.08.2022 (Annexure P-6) is pending for the last 02 years; but till date no reply has been filed on behalf of respondents No.1 and 5-defendants No.1 and 5, thus, he prays for issuance of direction to the trial Court to decide the same expeditiously within a time bound manner.

5. I have heard learned counsel for the petitioners and gone through the paper book.

6. Perusal of paper book shows that the application (Annexure P-6) filed in the suit, at the instance of petitioners-plaintiffs. seeking issuance of direction to respondents No.1 & 5/defendants No.1 & 5 to produce on record all the original documents relied upon by them in their written statement, is pending for the last almost 02 years and still the same is at the stage of filing of reply on behalf of the respondents No.1 & 5/- defendants No.1 & 5.

7. Considering the aforesaid facts, the Trial Court is requested to decide the application (Annexure P-6) on the next date of hearing i.e. 07.08.2024 fixed before it or within a month thereafter as well as expedite the proceedings in the suit.
8. Considering the nature of direction issued been innocuous, the present petition is disposed of without issuing notice to the respondents, as the same would further delay the disposal of proceedings in the suit, besides burdening them with unnecessary costs of litigation.

31.07.2024

sonika

(HARKESH MANUJA)
JUDGE

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