

CR-5476-2022(O&M)

2024:PHHC:052264

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

CR-5476-2022(O&M)

Date of decision:18.04.2024

M/s Shree Sai Foods

...Petitioner

Vs.

**M/s Blueben Builders and Developers
Pvt. Ltd.**

...Respondent

CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL

**Present: Mr. Gaurav Singla, Advocate
for the petitioner.**

None for the respondent.

ANIL KSHETARPAL, J. (Oral)

1. The trial Court has dismissed the petitioner's application for leave to defend the suit filed under Order 37 Rule 3 of the Code of Civil Procedure. It has been mentioned that the plaintiff has not disclosed any substantial defence while filing the application.

2. Learned counsel representing the petitioner submits that now the plaintiff has sought amendment of the plaint. Therefore, he should be granted leave.

3. This Court has considered the submission.

4. In a summary suit filed under Order 37 Rule 3 of the Code of Civil Procedure, the defendant is entitled to apply for leave to defend the suit, if he discloses substantial defence. However, in this case he has

failed to establish the same.

5. Hence, no ground to interfere is made out.
6. Dismissed.

18.04.2024

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Whether speaking/reasoned :
Whether Reportable :

(ANIL KSHETARPAL)
JUDGE

Yes	No
Yes	No