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

CM-15054-CII-2024 in/and
CR-6908-2023 (O&M)
Date of decision: 03.09.2024

Elegance Boutique and another

...Petitioners

Versus

Umesh Sharma

...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Vikas Sharma, Advocate for the petitioners.

Mr. H.S. Oberoi, Legal Aid Counsel for the respondent

VIKAS BAHL, J. (ORAL)

CM-15054-CII-2024

1. This is an application filed under Section 151 CPC for preponement of the date of hearing in the main case from 20.11.2024 to an early date.

2. For the reasons stated in the application, which is duly supported by an affidavit, the present application is allowed and the date of hearing in the main case is preponed from 20.11.2024 to today and same is taken on Board today itself for final disposal.

Main case

1. This is a revision petition filed under Article 227 of the Constitution of India for setting aside the order dated 21.09.2023 (Annexure



P-11) passed by the Civil Judge (Junior Division), Chandigarh in Civil Suit No.558 of 2017 vide which an application filed by the petitioners/defendants under Order 7 Rule 11-(A), (B) & (D) read with Section 151 of CPC has been rejected.

2. Learned counsel for the petitioners has submitted that since the petitioners have already filed their written statement and the case is now listed for cross-examination of plaintiff's evidence thus, he seeks permission of this Court to withdraw the present revision petition with liberty to the petitioners to take up all the points which are raised in the present revision petition and are available to them, during the course of trial, in accordance with law.

3. In view of the above, the present revision petition is dismissed as withdrawn with liberty aforesaid.

4. All the pending miscellaneous applications, if any, shall stand disposed of in view of the abovesaid order.

03.09.2024

Pawan

(VIKAS BAHL)
JUDGE

Whether speaking/reasoned:- **Yes/No**

Whether reportable:- **Yes/No**