

2025:PHHC:020020



268-Urgent

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

**CM No. 1692-CII & 1693-CII of 2025 in/and
Civil Revision No. 54 of 2025 (O&M)
Date of Decision: 11.02.2025**

Gaurav Arora and another

..... Petitioners

Versus

Amar Kumar and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Akhilesh Vyas, Advocate
for the petitioners-defendant Nos. 1 & 2.

Mr. Gurcharan Dass, Advocate
for respondent Nos. 1 to 5-plaintiff Nos. 1 to 5.

HARKESH MANUJA, J. (ORAL)

CM-1692-CII-2025

Prayer in the present application moved on behalf of the applicants-petitioners, is for preponing the date of hearing of main case from 23.04.2025 to an earlier date.

Notice of the application.

Learned counsel for the non-applicants/respondent Nos. 1 to 5 accepts notice and has no objection against the prayer made in the application.

In view of the above as well as contents of the application, duly supported by the affidavit of one of the applicants-petitioners, namely, Gaurav Arora; prayer made in the same is accepted and with

the consent of learned counsel for the parties, the main case is taken up today itself.

Application stands **disposed off** accordingly.

MAIN CASE

The petitioners-defendant Nos. 1 & 2, by way of present petition, seek setting aside of an order dated 09.12.2024 (Annexure P-10) passed by learned Civil Judge (Junior Division), Ludhiana, whereby cross-examinations of PW-6 (Amar Kumar), PW-7 (Prince Pal Singh), PW-8 (Arvinder Pal Singh) and PW-10 (Ajay Bansal) was ordered to be treated as NIL and further of an order dated 17.12.2024 (Annexure P-13) passed by learned Civil Judge (Junior Division), Ludhiana, dismissing the application filed at the instance of petitioners for recalling / reviewing the witnesses for cross-examination.

[2] At the outset, learned counsel for the parties submit that the suit pending before the trial Court stands adjudicated upon, thereby rendering the present petition as infructuous.

[3] In view of the above, present petition is **disposed off as infructuous**.

[4] However, the petitioners would be at liberty to challenge the impugned order(s) by availing remedies under Order 43 Rule 1-A of the Code of Civil Procedure, 1908 at the time of preference of any appeal, if any, against the judgment and decree passed by the trial Court.

[5] Since the main case has been disposed off as infructuous, no orders are required to be passed in the pending miscellaneous application(s), if any, the same shall also stand disposed off.

February 11, 2025
'dk kamra'

(HARKESH MANUJA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No