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

CR-739-2025

Date of decision: 04.02.2025

M/s Neuvo Hospitality Private Limited and another ...Petitioners

Versus

Rashpal Singh and others ...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

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

VIKAS BAHL, J. (ORAL)

1. This is a revision petition filed under Article 227 of the Constitution of India for setting aside the order dated 04.07.2024 (Annexure P-14) passed by the Civil Judge (Junior Division)-3, Jalandhar, whereby the evidence of the plaintiffs has been closed by order.

2. Learned counsel for the petitioners has submitted that the petitioners are the plaintiffs who have filed the suit for declaration in which the issues were framed on 10.10.2022. It is submitted that there is no injunction in favour of the petitioners and thus, delay in the proceedings would primarily cause prejudice to the petitioners. It is further submitted that since some of the Directors of the petitioners-company were abroad and were also involved in other engagements thus, they could not follow-up the case on every date. It is submitted that in case one opportunity is not granted to the petitioners to lead their evidence then irreparable loss would be caused to them. It is also submitted that for the delay and inconvenience caused in the proceedings, the petitioners-plaintiffs are ready to pay adequate costs to respondent Nos.1 to 3 who are the defendants in the suit.

3. Keeping in view the abovesaid facts and circumstances, this Court



is of the view that one last opportunity on payment of adequate costs be granted to the petitioners to lead their evidence. Accordingly, the present revision petition is partly allowed and the impugned order dated 04.07.2024 to the extent that the evidence of the plaintiffs has been closed by order, is set aside with the following observations/directions:-

- a) The petitioners would deposit an amount of Rs.45,000/- on or before the next date of hearing before the trial Court. On deposit of the said amount, the same would be released by the trial Court to the respondent Nos.1 to 3/defendant Nos.1 to 3 in equal proportion (i.e., Rs.15,000/- each).
- b) In case of the said deposits having been made on or before the next date of hearing before the trial Court, the trial Court would give one last effective opportunity to the petitioners to lead their evidence.
- c) In case the said amount is not deposited on or before the next date of hearing before the trial Court, then the present revision petition would be deemed to have been dismissed.

4. In the present case, no notice is being issued to respondent Nos.1 to 3 as issuance of notice to them would further delay the proceedings and would also entail the expenses for respondent Nos.1 to 3 to defend the present revision petition. However, it would be open to respondent Nos.1 to 3 to move an application for recalling of the present order in case any of the statement made before this Court is found to be false/incorrect.

04.02.2025

Pawan

(VIKAS BAHL)
JUDGE

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No