2025:PHHC:030939

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IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

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CR-1352-2025(O&M)
Date of decision : 05.03.2025

M/s Gurbir Rice Mills and another ... Petitioners

Versus

M/s Kissan Rice Mills ... Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr.Amit Gupta, Advocate and
Mr. Vivek Aggarwal, Advocate for the petitioners.

VIKAS BAHL, J.(ORAL)

1. This is a Civil Revision Petition filed under Article 227 of the Constitution of India for setting aside the impugned order dated 01.02.2025 (Annexure P-1) passed by the Additional Civil Judge (Sr.Div.), Nabha, vide which the application dated 23.10.2024 (Annexure P-5) moved by the petitioners-defendants for permission to amend their written statement has been dismissed.

2. Learned counsel for the petitioners has submitted that since the trial Court had observed in the impugned order that since the Civil Court can always take judicial notice of any order or judgment passed by the Court during judicial proceedings as per Section 41 and 42 of the Indian Evidence Act, thus, the petitioners be permitted to withdraw the present petition with liberty to the petitioners to refer the judgment dated 30.10.2023 during the course of arguments before the trial Court and to raise all the pleas which have been taken in the written statement and are available to them, during the course of trial.

3. In view of the statement made by learned counsel for the petitioners, the present petition is dismissed as withdrawn with the aforesaid liberty.

(VIKAS BAHL)
JUDGE

March 05, 2025
Davinder Kumar

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

Davinder Kumar
2025.03.05 16:53
I attest the accuracy and
authenticity of this order /
judgment