



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

\*\*\*

**CR-2848-2025**

Date of decision : 12.05.2025

Shrocons Infrastructure Pvt. Ltd. and another

... Petitioners

Versus

Savills Property Services (India) Pvt. Ltd. and others

... Respondents

***CORAM: HON'BLE MR. JUSTICE VIKAS BAHL***

Present: Mr.Kanwar Abhay Singh, 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 order dated 10.12.2024 (Annexure P-1) passed by the Additional District Judge-cum-Presiding Judge, Exclusive Commercial Court at Gurugram, vide which the application under Order 37 Rule 4 CPC filed by the petitioners for setting aside ex-parte decree has been dismissed.

2. Learned counsel for the petitioners has submitted that since the proceedings in the present case have come to an end, thus, the impugned order would not be an interlocutory order within the meaning of Section 8 of the Commercial Courts Act, 2015. It is further submitted that as per provision of Section 8, no civil revision application or petition shall be entertained against any interlocutory order, subject to the provisions of



Section 13 and any challenge to the said interlocutory order can be raised only in an appeal against the decree of Commercial Court. It is argued that since the judgment and decree dated 13.07.2022 was an ex-parte judgment and decree and subsequently, the petitioners had filed an application under Order 37 Rule 4 CPC for setting aside the ex-parte decree, which had been dismissed, thus, the question of present petitioners challenging the order dated 10.12.2024 along with any proposed appeal against the decree dated 13.07.2022 does not arise. Section 8 of the Commercial Court Act is reproduced hereinbelow:-

***“8. Bar against revision application or petition against an interlocutory order.- Notwithstanding anything contained in any other law for the time being in force, no civil revision application or petition shall be entertained against any interlocutory order of a Commercial Court, including an order on the issue of jurisdiction, and any such challenge, subject to the provisions of section 13, shall be raised only in an appeal against the decree of the Commercial Court.”***

3. Learned counsel for the petitioners has further submitted that the provision of Section 13(1) as well as 13(1A) provides for an appeal even in case a challenge is made to an “order” of a Commercial Court and thus, although for filing an appeal, the case of the petitioners would not fall within the proviso to sub section (1A) but would fall within the main provision itself and thus, he seeks to withdraw the present petition with liberty to file an appropriate proceeding / appeal, in accordance with law.



4. In view of the statement made by learned counsel for the petitioners, the petitioners are permitted to withdraw the present petition with the aforesaid liberty.

**(VIKAS BAHL)**  
**JUDGE**

**May 12, 2025.**

*Davinder Kumar*

Whether speaking / reasoned  
Whether reportable

Yes/No  
Yes/No