



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

124

CR-4286-2025 (O&M)

Date of Decision :15.07.2025

MGF DEVELOPMENTS LTD.

. . . . Petitioner

Vs.

COSMO PROPBUILD PVT. LTD. AND OTHERS

. . . . Respondents

CORAM: HON'BLE MR JUSTICE DEEPAK GUPTA

Present: - Mr. Sanjeev Sharma, Sr. Advocate, and
Mr. Amit Jain, Sr. Advocate, with
Mr. Amandeep Singh Talwal,
Mr. Anupam Mathur and Mr. Jugansh Goyal,
Advocates, for the petitioner.

Mr. Randeep S. Rai, Sr. Advocate, and
Mr. Aashish Chopra, Sr. Advocate, with
Ms. Rubina Virmani and Mr. Rajat, Advocates,
for the respondents.

DEEPAK GUPTA, J.

Petitioner herein is the plaintiff of Civil Suit bearing *CIS No.CS-2886-2022* titled '*MGF Developments Limited Vs. Cosmo Propbuild Pvt. Ltd. and others*', pending before the Court of Learned Civil Judge (Senior Division), Gurugram. Petitioner is aggrieved by the order dated 10.07.2025 (*Annexure P1*), whereby prayer to grant three weeks' time to it to file reply to the application under Order XXXIX Rule 4 CPC was declined. Further prayer is made to grant reasonable time to the petitioner to file reply to the said application.

2.1 Learned Senior counsels for the petitioner submits that an application under Order XXXIX Rule 4 CPC was moved by defendants No.1 to 7 (*respondents No.1 to 7 herein*) on 02.07.2025, seeking modification, discharge or setting aside the order of injunction passed earlier. The trial Court adjourned the matter only after four days i.e. 07.07.2024 for reply and arguments. On the adjourned date, petitioner apprised the Court

through its counsel that the application contained various averments in the nature of defence and that petitioner required reasonable time to respond to the same. However, the trial Court adjourned the matter to 10.07.2025 and then declined the request of the petitioner so as to grant three weeks' time to respond to the application.

2.2 Learned senior counsels for the petitioner submits that high stakes of the petitioner are involved in the subject matter of the dispute and that it requires reasonable time to respond to the application and that trial Court is in tearing hurry in not granting the reasonable time.

3. Mr. Randeep S. Rai, Sr. Advocate and Mr. Aashish Chopra, Sr. Advocate have put in appearance with their assisting counsels Ms. Rubina Virmani and Mr. Rajat, for the respondents.

4. After hearing learned Senior counsels of both the sides, present petition is hereby disposed of with the direction to the trial Court to grant opportunity to the petitioner-plaintiff to respond to the application under Order XXXIX Rule 4 CPC by filing its reply on or before 25.07.2025 and then the trial Court shall dispose of the said application expeditiously, in accordance with law.

Disposed of.

15.07.2025

Vivek

(DEEPAK GUPTA)

JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No