

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

**Civil Revision No.5442 of 2015 (O&M)
Date of Decision: August 24, 2015**

Smt. Savitri and others

.... Petitioners

vs.

Baru Ram and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. Ashwani Bakshi, Advocate for the petitioners.

- 1. Whether Reporters of Local Newspapers may be allowed to see the judgment?*
- 2. To be referred to the Reporters or not?*
- 3. Whether the judgment should be reported in the Digest?*

Kuldip Singh J.(Oral)

Impugned in the present revision petition is the order dated 17.08.2015 (Annexure P-7) passed by learned Addl. Civil Judge (Sr. Divn.), Meham, vide which at the stage of rebuttal evidence and arguments, the plea of the present petitioners-defendant Nos.1 to 6 for framing of additional issues, was dismissed.

I have heard learned counsel for the petitioners and have also carefully gone through the case file.

A perusal of the impugned order shows that the lower court has taken the view that the issues sought to be framed are squarely cover by the issues already framed. The plaintiffs have filed a suit for declaration, possession and injunction. The evidence led therein was denied by the defendants.

Learned counsel for the petitioners prays that he has raised a plea of Karewa marriage of Raj Kaur for which no issue is framed.

However, I am of the view that this is the defence of the defendants. Both the parties have already adduced their evidence. The petitioner is at liberty to raise a plea on fact during arguments even if there is no specific issue on the point and court can record findings in this regard under the broad issue framed in this regard. Therefore, there is no need to interfere in the impugned order.

Accordingly, the present revision petition stands dismissed.

August 24, 2015
sarita

(KULDIP SINGH)
JUDGE