

AT CHANDIGARH

Date of Decision: September 19, 2015

.... Petitioners

VS.

.... Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. Naveen Kumar, 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 24.07.2015 passed by learned Civil Judge (Jr. Divn.), Rohtak, vide which defendant Nos.1 to 4 were allowed to file the counter claim.

The only plea of learned counsel for the petitioner is that in the application for filing of counter claim, it has not been averred that the cause of action to file the counter claim arises either before the filing of the suit or before the filing of the written statement by the defendants.

I am of the view that the cause of action to be inferred from facts mentioned in the counter claim and if the plaintiff-petitioner is aggrieved, then he can take such objection in the reply to the counter claim and same is to be decided on merits. This is no ground to interfere in permission for filing the counter claim.

Hence, the present revision petition stands dismissed.

(KULDIP SINGH)
JUDGE

September 19, 2015

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