

In the High Court of Punjab and Haryana at Chandigarh

CR No.6544 of 2015

Date of decision: October 05, 2015

Smt. Kanika

..... Petitioner

Versus

Ram Kishan and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. A.K. Jindal, Advocate for the petitioner.

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 is the order dated 23.07.2015 (Annexure P-5) passed by learned Civil Judge (Jr. Divn.), Yamuna Nagar at Jagadhri whereby application filed by the present petitioner under Order 7 Rule 11 CPC was dismissed holding that question of limitation is a mixed question of law and fact.

I have heard the learned counsel for the petitioner.

The suit is for pre-emption. According to the learned counsel for the petitioner, the limitation period is of one year. However, the plaintiffs claimed themselves to be tenant in the disputed property and it is also claimed that defendant No.1 kept the sale as a secret from him and when he came to know about the said sale, he filed the suit. The question of limitation in this case is a mixed question of law and fact. Hence, the revision stands dismissed.

**(KULDIP SINGH)
JUDGE**

October 05, 2015

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