

CR No. 6935 of 2013

Date of Decision: November 30, 2015

Kewal Singh

.... Petitioner

vs.

Harvinder Singh &amp; others

.... Respondents

**CORAM: HON'BLE MR. JUSTICE KULDIP SINGH****Present:** Mr. B.P.S. Virk, Advocate  
for the petitioner.Mr. Tushant Deep Garg, Advocate  
for respondent No.1.

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 order dated 29.08.2013 passed by learned Civil Judge(Junior Division), Samana vide which in an application filed by the defendant-petitioner under Order 7 Rule 11 CPC for dismissal of the suit on the ground that it is time barred and that suit has been filed on fresh cause of action after withdrawing the previous suit with permission to file afresh one on the same cause of action, the lower Court has taken the view that in this

case evidence of the plaintiff has already been completed and evidence of the defendant-petitioner is going on. Therefore, it will be better if the matter is decided after taking into consideration evidence of both the parties.

I am of the view that since the evidence of the other party has started, therefore, there is nothing wrong if the lower Court has decided that matter will be decided after considering evidence of both the parties. Therefore, while exercising the revisional powers under Article 227 of the Constitution of India, there is no ground to interfere in the impugned order.

Revision petition stands dismissed.

**November 30, 2015**  
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**(KULDIP SINGH)**  
**JUDGE**