

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

Date of decision: 30.10.2015

1. Civil Revision No.7216 of 2015

Mustkeem @ Mustkeen and others

.....Petitioners

Versus

Kuldeep Singh

.....Respondent

2. Civil Revision No.7233 of 2015

Mustkim and others

.....Petitioners

Versus

Dharambir Singh

.....Respondent

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

**Present: Mr. S.K. Biriwal, Advocate,
for the petitioner(s) (in both the petitions).**

Ritu Bahri, J.

This order shall dispose of Civil Revision Nos.7216 and 7233 of 2015 together as common questions of law and facts are involved in both the petitions. For reference facts are taken from Civil Revision No.7216 of 2015.

Challenge is to the orders dated 12.08.2015 passed by the Additional Civil Judge (Senior Division), Panipat in Case Nos.315/09 and 88/09, instituted on 03.10.2009 and 06.03.2009 respectively, whereby applications filed by the defendants-petitioners under Section 16 and Order 7 Rule 10 read with Section 151 CPC for framing of additional issue(s)

regarding territorial jurisdiction of the Court and rejection of plaint, have

been dismissed.

Perusal of the impugned order(s) shows that in the suits it has been stated that business address of the defendants-respondents was “Barsat Road, Panipat.” At the time of framing of issues, a specific issue with regard to maintainability of suit was also framed. Both the parties would lead their respective evidence with regard to aforesaid issues. Thereafter, the trial Court can record finding with regard to jurisdiction of the civil court while deciding the issue of maintainability. Hence, no ground is made out to frame an additional issue as sought by the petitioner.

No illegality, much less perversity has been found in the impugned orders, warranting interference by this Court in exercise of its revisional jurisdiction.

Resultantly, both the petitions i.e. Civil Revision Nos.7216 and 7233 of 2015 are dismissed.

30.10.2015
ajp

(RITU BAHRI)
JUDGE