

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT
CHANDIGARH

C.R. No.764 of 2015
Date of Decision.11.03.2015

Bhim Singh and others

.....Petitioners

Versus

Shakuntla wife of Rajender and others

.....Respondents

Present: Mr. Lokesh Sinhal, Advocate
for the petitioners.

CORAM:HON'BLE MR. JUSTICE K. KANNAN

1. Whether Reporters of local papers 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?

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K. KANNAN J. (ORAL)

1. The petition for rejection of a plaint was sought by the defendant on the ground that the issue regarding the validity of a Will was already decided between same parties on a reference before a Civil Court under Section 30 of the Land Acquisition Act. The bar of suit by any law which is contemplated under Order 7 Rule 11 ought not to be taken as including even an issue of matter which is final between the parties.

2. The counsel himself states that the judgment of the Reference Court under Section 30 has not become final and the matter is pending adjudication before the higher forum. This would only afford to the petitioner a right to approach for stay of proceedings under Section 10 CPC and will not constitute any final bar even for taking the suit as barred under Section 11 CPC.

3. There is no scope for interference with the order already passed. The revision petition is dismissed.

(K. KANNAN)
JUDGE

March 11, 2015
Pankaj*