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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Civil Revision No.7671 of 2015

Date of Decision: 27.11.2015

PARVEEN KUMAR JAIN

.....Petitioner

Vs

SURESH KUMAR JAIN AND ORS.

....Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Bhupender Singh, Advocate
for the petitioner.

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?*

RAJ MOHAN SINGH, J.(Oral)

[1]. This revision petition has been directed against the order dated 21.10.2015 (Annexure P-1) passed by Civil Judge (Jr. Divn.), Panipat.

[2]. The suit was filed on 06.10.2007. Written statement along with counter-claim was filed on 16.05.2008. Defendant No.1 sought decree for declaration to the effect that defendants No.1 and 2 are owner in possession of the suit property comprising out of khasra numbers 761, 762/2, 763/2, 759/1/2 situated within revenue estate of Taraf Insar, Panipat over which M/s B.S. Textiles and Handicrafts belonging to the defendants No.1 and 2 in partnership, is functioning.

[3]. Issues were framed on 24.04.2009. Thereafter

additional issues were framed i.e. Issues No.11(a) to 11(c) in the application under Order 41 Rule 5 read with Section 151 CPC.

[4]. Out of aforesaid additional issues, issue No.11(a) was framed to the following effect:-

“Whether the defendants No.1 and 2 are owners in possession of property detailed in the title of the detail of the property as alleged in the written statement of the defendant No.1, if so to what effect? OPD.”

[5]. On 24.04.2009, issue No.11 was framed on the counter claim of the defendant/petitioner to the following effect:-

“Whether the defendants are entitled for counter-claim as prayed for? OPD.”

[6]. Having heard learned counsel for the petitioner, this Court is not in agreement with the contention raised by him.

[7]. Apparently necessary issues have already been framed on the basis of pleadings of the parties and the parties knew the each others' case. Evidence is now being led.

[8]. In view of above, no ground is made out to interfere in this revision petition, consequently, the same is dismissed.

November 27, 2015

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(RAJ MOHAN SINGH)
JUDGE