

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

-.-

CR No. 2266 of 2015

Date of decision: 08.01.2016

*Hardev Singh*

..... *Petitioner*

*Versus*

*Sukhdev Singh and another*

.....*Respondents*

**Coram:    Hon'ble Mrs. Justice Rekha Mittal**

-.-

Present:    Mr. K S Cheema, Advocate  
                 for the petitioner  
                 Mr. Onkar Singh, Advocate  
                 for respondent No. 1

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**Rekha Mittal, J.**

The present petition lays challenge to the order dated 23.02.2015 passed by the Civil Judge (Jr. Division) Dasuya, whereby the application filed by the petitioner (defendant therein) for rejection of claim on the premise that the suit is barred by limitation has been dismissed.

Learned counsel for the petitioner would submit that by the instant suit, the respondent has claimed two reliefs (i) declaring him as owner of half share of the suit house by giving challenge to the sale deed dated 31.11.1995 and (ii) seeking permanent injunction, restraining the defendant not to interfere and disturb his possession on the suit house. It is further argued that the challenge made to the sale deed dated 31.11.1995 by filing the suit in the year 2009 is clearly barred by limitation.

After arguing for some time, counsel for the parties are *ad idem* that the petition may be disposed of by holding that the observations made in the impugned order would not cause prejudice to either of the parties in regard to question of limitation at the time of final disposal of the suit.

Ordered accordingly.

(Rekha Mittal)  
Judge

08.01.2016  
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