

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

C.R. No.3004 of 2016

Date of Decision.29.04.2016

Ranjit and anotherPetitioners

Vs.

Vikram and anotherRespondents

Present: Mr. J.P. Sharma, 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 revision petition is against the dismissal for application for rejection of the plaint. On an earlier action, there was a claim for tractor and combine and the petitioner was successful in establishing his claim to the combine and claim to the tractor was disallowed. He appears to have preferred an appeal which is still pending. The present suit is filed by the respondent for right to the tractor. The contention is that since an earlier application is still pending, present suit cannot lie. The contention is erroneous. So long as there is no order of stay of the decree at the Appellate Court, the present suit of making claim to the tractor is perfectly competent.

2. There is no warrant for rejection of the plaint and correctly dismissed by the court below. The revision petition is dismissed.

**(K. KANNAN)
JUDGE**

April 29, 2016
Pankaj*