

In the High Court of Punjab and Haryana at Chandigarh

Civil Revision No.5590 of 2016

Date of Decision: 31.8.2016

Naresh Kumar and another

---Petitioners

versus

Ram Kumar and others

---Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

**Present: Mr.Chirag Wadhwa, Advocate
for the petitioners**

Rekha Mittal, J.

The present petition has been directed against order dated 3.5.2016 (Annexure P-6) passed by the Additional Civil Judge (Senior Division), Karnal, whereby application filed by the petitioners under Order 7 Rule 11 of the Code of Civil Procedure (in short "CPC") for rejection of the plaint was dismissed.

After arguing for some time, counsel for the petitioners has prayed that the petition may be disposed of but with liberty to the petitioners

to press before the trial court at the time of framing of issues that the issue qua the suit being barred under Order 2 Rule 2 CPC and limitation be framed as preliminary issues by invoking the provisions of Order 14 Rule 2 CPC.

In view of the above, petition is disposed of with liberty aforesaid. If any such plea is raised by the petitioners at the time of framing of issues, the same would be dealt with by the trial court concerned by passing a reasoned order.

(Rekha Mittal)
Judge

31.8.2016

PARAMJIT

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No