

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

CR No. 657 of 2016

Date of decision : February 1, 2016

Ashok Kumar Sharma

..... Petitioner

Versus

Jaibir and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Mr. Aditya Jain , 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?

Amit Rawal, J (oral).

The petitioner-defendant No.2 is aggrieved of the order whereby issue No. 1-A had been framed.

Learned counsel for the petitioner submits that the petitioner-defendant No.2 has been impleaded for the reasons that he was owner of the property but during the pendency of the suit, the respondents-plaintiffs sought amendment of the suit challenging the agreement to sell entered into by the petitioner with the subsequent vendee. There were other issues which were required to be framed, therefore the order is not sustainable in the eyes of law.

I have heard learned counsel for the petitioner and appraised the paper book.

The petitioner-defendant No.2 is at liberty to seek

framing of the proper issues by moving an appropriate application under Order 14 Rule 5 CPC and not by challenging the order, in case, certain issues have been left out owing to the pleadings taken in the amended plaint.

I do not find any illegality and perversity in the impugned order and the same cannot be said to have been passed without jurisdiction. The order under challenge is confirmed.

With the aforementioned observations the revision petition stands disposed of.

(AMIT RAWAL)
JUDGE

February 1 , 2016
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