

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

CR-6776-2016

Date of Decision: 07.10.2016

DIDAR SINGH AND ANR

... Petitioners

Versus

MANINDERVIR SINGH

... Respondent

CORAM:-HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Ramandeep Singh Pandher, Advocate
for the petitioners.

RAJ MOHAN SINGH, J. (Oral)

[1]. Learned counsel for the petitioners after arguing for some time submits that the observations made by the trial Court i.e.

“The plaintiff has no where specifically denied the fact that the agreement dated 06.08.2005 did not take place. Instead the plaintiff has pleaded that the agreement dated 07.09.2005 is complete in all respects and that the agreement dated 06.08.2005 has no bearing on the agreement dated 07.09.2005”

would be having adverse effect on the ultimate merits of the case.

[2]. Having considered the submissions made by learned counsel for the petitioners, I do not see any ground for

interfering in the impugned order on merits, except to clarify that any observations made by the trial Court beyond the scope of Order 7 Rule 11 CPC are to be ignored, while considering the case on merits at a later stage. This revision petition is dismissed.

[3]. Any observation made in the impugned order at this stage may not be construed to be an opinion of facts on merits of the case. Trial Court would be obligated to decide the case on merits, without being influenced by any observation made in the impugned order.

07.10. 2016
prince

(RAJ MOHAN SINGH)
JUDGE

Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No