

In the High Court of Punjab and Haryana at Chandigarh

Civil Revision No.7989 of 2016

Date of Decision: 28.11.2016

Jagan Nath

---Petitioner

versus

Rajesh Kumar and others

---Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

**Present: Mr. Raman Goklaney, Advocate
for the petitioner**

Rekha Mittal, J.

The present petition directs challenge against order dated 28.9.2016 (Annexure P-1) passed by the Civil Judge (Junior Division), Ferozepur whereby application filed by the respondents/plaintiffs under order 6 Rule 17 of the Code of Civil Procedure (in short "CPC") for amendment of the plaint, has been allowed.

After arguing for sometime, counsel for the petitioner states that the petition may be disposed of without prejudice to rights of the

petitioner that any observations made in the impugned order touching merits of question of limitation may not cause prejudice to the petitioner at the time of final disposal of the suit.

As per settled position in law, the Court while disposing of an application for interlocutory relief, should refrain from commenting upon merits of the disputed questions of fact and law.

Keeping in view the limited prayer made by counsel for the petitioner, the petition stands disposed of with the observations that the question qua limitation shall be decided by the trial court without being influenced by any observations made in the impugned order.

(Rekha Mittal)
Judge

28.11.2016

PARAMJIT

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No