

Civil Revision No.1355 of 2017 (O&M)

[1]

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

Sr. No. 271

Civil Revision No.1355 of 2017 (O&M)
Date of decision: April 19, 2017

Jagpal Singh and another

.... Petitioners

Versus

Alka Jain and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. M.L. Saggar, Senior Advocate with
Mr. Rajesh Punj, Advocate,
for the petitioners.

Mr. Nikhil Garg, Advocate,
for respondent Nos.1 to 3.

JASPAL SINGH, J.

CM No.4138-CII of 2017

Application is allowed as prayed for.

CR No.1355 of 2017

By virtue of the instant petition preferred under Article 227 of
the Constitution of India, petitioners have sought quashing of order dated

Civil Revision No.1355 of 2017 (O&M)

[2]

January 06, 2017 (Annexure P-12), passed by Additional Civil Judge (Sr. Divn.), Ratia, Fatehabad whereby an application filed by the petitioners for framing of additional issues has been dismissed.

2. At the very outset, it would be pertinent to mention here that in Civil Revision No.1544 of 2017, the petitioners have been allowed to file replication to the written statement filed by respondent/defendant Nos.1 to 3, with further direction to the trial court to take on record the replication to be filed by the petitioners. As a consequence of filing of replication by the petitioners, the issues are likely to be re-casted/re-framed taking into consideration, the various averments made in the plaint/written statement as well as replication. Thus, instant petition is disposed of with liberty to the parties that if they are so aggrieved of re-framing of the issues after filing of the replication to written statement, they shall be at liberty to challenge the order whereby issues are re-framed.

3. Disposed of.

April 19, 2017

Ankur

**(JASPAL SINGH)
JUDGE**

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No