

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CR No.2069 of 2017

Date of decision: 22.03.2017

Jaspal Singh

..Petitioner

Versus

Gurdial Singh and others

..Respondents

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Mr. Mayank Mathur, Advocate for the petitioner.

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Daya Chaudhary, J. (Oral)

The petitioner is aggrieved by order dated 16.09.2016 passed by the Civil Judge (Junior Division), Patiala, whereby, the application moved by him has been disposed of on the ground that earlier application was filed on the same cause of action and it was allowed vide order dated 18.02.2016. The dispute is with regard to area of property in dispute.

As per case of the respondents-plaintiffs, the area of property in dispute is 100 square yards whereas as per stand of the petitioner-defendant, the area is more than 100 square yards.

Since the order in the earlier application has been passed as the same was allowed on the same cause of action and thereafter, the subsequent application has been filed. The petitioner was having remedy to challenge the order passed in the earlier application. Nothing is mentioned in the application as to how the same was maintainable.

No ground is made out to interfere with the impugned order.

Dismissed.

However, the petitioner is at liberty to avail the appropriate remedy.

22.03.2017

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(DAYA CHAUDHARY)  
JUDGE

Whether speaking/reasoned

√  
Yes/No

Whether Reportable

√  
Yes/No