

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

**CR No. 6688 of 2017 (O&M)
Date of Decision: 28.9.2017**

M/s Windal Auto Pvt. Limited

.....Petitioner

Vs.

M/s R.M.S Engineering Works and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present : Mr. Rajesh Lamba, Advocate
for the petitioner.

RAMESHWAR SINGH MALIK J. (ORAL)

Feeling aggrieved against the order dated 25.8.2017 (Annexure P-4) passed by the learned trial court, whereby application moved under Order VII Rule 10 CPC was dismissed, defendant has approached this Court by way of present civil revision petition under Article 227 of the Constitution of India, for setting aside the impugned order.

Heard learned counsel for the petitioner.

Learned counsel for the petitioner, at the very outset, fairly states that let present revision petition be disposed of with a direction to the learned trial court to treat issue No.3, "Whether civil courts at Faribabad have no territorial jurisdiction to entertain the suit?OPD", as a preliminary issue.

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The contention raised by the learned counsel for the petitioner has been found to be well justified and the same is worth acceptance. Accordingly, instant revision petition is disposed of, with a direction to the learned trial court to treat the abovesaid issue No.3 as preliminary issue and decide the same, in accordance with law, before proceeding further with the suit.

Disposed of, accordingly.

28.9.2017
Ak Sharma

(RAMESHWAR SINGH MALIK)
JUDGE

Whether speaking/reasoned Yes/No
Whether reportable: Yes/No