

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

CR No. 6899 of 2017 (O&M)

Date of decision: 31.10.2017

Rai Singh

....Petitioner

VERSUS

Bhateri and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. Kamal Sharma, Advocate for the petitioner.

REKHA MITTAL, J.(Oral)

Counsel for the petitioner would state that the petition may be disposed of but some time-bound directions may be issued to the Court below for deciding the question of res judicata by framing an issue in this regard and treating it as a preliminary issue.

In view of the above, the petition stands disposed of. In case the petitioner has raised an objection with regard to the suit being barred by res judicata, at the stage of framing of issues, he may press for treating the issue qua res judicata as a preliminary issue. In case such a prayer is made, the same shall be disposed of by the Court below by passing a speaking order.

OCTOBER 31, 2017

'D. Gulati'

(REKHA MITTAL)

JUDGE

Whether speaking/reasoned :

Yes/No

Whether reportable :

Yes/No