

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

CR No.1101 of 2018 (O&M)

Date of decision : February 19, 2018

Kulwinder Kaur and another **Petitioners**

Versus

Ranjodh Singh and another **Respondents**

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. R.S. Pandher, Advocate for the petitioners.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

KULDIP SINGH J. (ORAL)

Heard.

Petitioners have impugned the order dated 10.11.2017 (Annexure P-1) passed by learned Addl. Civil Judge (Sr. Divn.), Khamanon, District Fatehgarh Sahib, vide which the application filed by the present petitioner-defendant under Order VII, Rule 11 CPC was dismissed.

In the application, it was claimed that the minor is living within the jurisdiction of District Courts, Rupnagar. Therefore, the case cannot be tried at Khamanon Courts, District Fatehgarh Sahib. However, the Court after considering the averments, came to the conclusion that the question regarding the territorial jurisdiction is a mixed question of law and facts and can only be decided by way of leading evidence. Therefore, there is no illegality or infirmity in the impugned order.

In these circumstances, the present revision petition is dismissed with the observations that the trial Court shall frame the issue

regarding the jurisdiction and record the evidence thereon and at the time of final disposal, record the findings on the same.

(KULDIP SINGH)
JUDGE

February 19, 2018

sarita	
Whether speaking / reasoned	Yes
Whether Reportable:	No