

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Civil Revision No.1645 of 2018

Date of Decision: 13.03.2018

Bimla Devi

....Petitioner (s)

Versus

Kuldeep Singh & others

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. V.S. Rana, Advocate
for the petitioner(s).

HARI PAL VERMA, J. (Oral)

Petitioner-plaintiff has filed the present revision petition under Article 227 of the Constitution of India for setting aside the order dated 03.02.2018 (Annexure P-5) passed by Additional Civil Judge (Sr. Divn.), Moonak, whereby on an application filed by respondent-defendant no.4, additional issues have been framed.

Learned counsel for the petitioner-plaintiff has argued that the Civil Court has already framed the issues which are sufficient enough to settle the controversy and the very purpose of filing the application for framing of additional issues by respondent-defendant no.4 is to delay the trial.

I have heard learned counsel for the petitioner and perused the impugned order.

While allowing the application, learned Civil Court has recorded a finding that the issues have already been framed and issue no.1 is regarding entitlement of the petitioner-plaintiff to the declaration and by framing additional issues, it would not change the nature of issues, rather it will clarify the issues. The plea, as raised by learned counsel for the petitioner that the very purpose of filing application for the framing of additional issues is just to delay the trial is not substantiated by any material. However, considering the fact that the suit was filed on 25.10.2013, it is directed that the trial Court shall make an endeavour to expedite the trial.

Accordingly, the present revision petition is disposed of.

March 13, 2018
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No