

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

CR No.621 of 2018 (O&M)

Date of decision : February 01, 2018

Krishan and others

..... Petitioners

Versus

Gram Panchayat Dadlana

..... Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Sandeep Gupta, 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.

Impugned in the present revision petition is the order dated 17.01.2018 (Annexure P-3) passed by learned Addl. District Judge, Panipat, vide which while deciding the appeal against the order dated 08.01.2018 passed by learned Civil Judge (Jr. Divn.), Panipat, passed in an application under Order 39 ,Rule 1 and 2 read with Section 151 CPC, the case was remanded to the trial court to first decide the application filed under Order 1 Rule 8 CPC.

After going through the impugned order, I am of the view that the dispute is regarding the public property. Along with the suit, an application under Order 1 Rule 8 CPC was also filed. The lower appellate court has rightly held that firstly, the said application is required to be decided before finally deciding the application filed under Order 39 Rule 1 & 2 read with Section 151 CPC.

It being so, there is no illegality or infirmity in the impugned order.

As such, the present revision petition is dismissed.

(KULDIP SINGH)
JUDGE

February 01, 2018
sarita

Whether speaking / reasoned Yes

Whether Reportable: No