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

**C.R. No.8654 of 2016
Date of Decision: 20.03.2018**

Nafe Singh & ors.

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.....Petitioners

Versus

Lal Chand & ors.

.....Respondents

CORAM: HON'BLE MR. ANIL KSHETARPAL

Present:- Mr. Sanjiv Kumar Aggarwal, Advocate
for the petitioners.

Mr. Arvind Rajotia, Advocate
for respondent Nos. 1 to 7.

ANIL KSHETARPAL J.(oral)

During the course of arguments, counsel for the parties have arrived at a consensus, although petitioners who are co-defendants had pleaded that counter-claim against the defendant is not maintainable, however learned Trial Court after noticing that the present suit is for partition of the property and in partition suit every party is to be treated as the plaintiff and the defendant, refused to entertain the objection of the petitioners.

Learned counsel for the parties have agreed that the petitioners, who are defendant Nos.1 to 4, would be granted opportunity to file reply to the counter-claim and they would also be granted opportunity to cross-examine the witnesses to be produced in support of the counter-claim by defendant Nos. 8 to 12.

In view of the aforesaid consensus arrived at, the order

challenged is modified and the revision is disposed of accordingly.

Accordingly the present revision is disposed of.

March 20, 2018
shweta

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No