

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

**CR No.67 of 2019(O&M)
Date of Decision: 10.04.2019**

M/s CM Smith and Sons Limited and othersPetitioners

Versus

M/s Maharani Paints Private LimitedRespondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present:Mr. B.S. Tewatia, Advocate
for the petitioners.

Mr. Sandeep Chhabra, Advocate
for the respondent.

RAJ MOHAN SINGH, J.(Oral)

[1]. After hearing learned counsel for the parties, it appears that after framing of issues, both the parties have led their evidence. Issue of jurisdiction has also been framed by the trial Court. After concluding the evidence, the case is fixed for final arguments for 12.04.2019.

[2]. At this stage of litigation, it will not be appropriate to consider the application under Order 7 Rule 11 CPC on the issue of jurisdiction of the Court. Jurisdiction of the Court in view of the stand taken by both the parties would be a mixed

question of law and facts.

[3]. Since both the parties have already led their evidence, therefore, it would be appropriate to see the fate of the case on merits.

[4]. Disposed of.

10.04.2019

Prince

(RAJ MOHAN SINGH)
JUDGE

Whether reasoned/speaking
Whether reportable

Yes/No
Yes/No