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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

SANJIV KUMAR SHARMA
10/11/2019 16:17
I attest to the accuracy and
authenticity of this document

CR-2607-2019 (O/M)
Date of decision : 23.4.2019

Tarlochan Mahajan

..... Petitioner (s)

Versus

Baljit Kaur and others

..... Respondent (s)

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. J.S. Thind, Advocate,
for petitioner.

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KULDIP SINGH, J. (ORAL)

Petitioner has impugned order dated 22.1.2018 (Annexure-P1), passed by learned Civil Judge (Junior Division), Amritsar, vide which on an application filed by defendant No. 2 (present petitioner), under Order VII Rule 11 CPC, 1908, was disposed of, stating that contention of both sides is matter of evidence and cannot be adjudicated at this stage.

Heard.

Perusal of impugned order shows that suit is for possession. Plaintiff has valued the suit property at Rs. 50,000/- being market value of property in question. However, according to present petitioner defendant No. 2, market value of property is more than Rs. 10,00,000/-. The trial Court has observed that correct evaluation of property is matter of evidence and defendant No. 2 (present petitioner) has been directed to file written statement.

I am of view that there is nothing wrong with view taken by trial Court. When plaintiff has fixed the market value of property at Rs. 50,000/- and defendant (present petitioner) says that value is much more, then matter is to be decided after recording evidence so as to come to

conclusion as to what is exact market value of property. Let trial Court
frame issue and decide same after recording evidence.

No merits in revision petition. Thus, revision petition is
dismissed.

(KULDIP SINGH)
JUDGE

23.4.2019
sjks

Whether speaking order : Yes / No

Whether reportable : Yes / No