

CR No.6293 of 2019

Date of Decision: 03.10.2019

Deepak Batra

.....Petitioner

Versus

Anu Sareen

.....Respondent

CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAUR

Present: Mr. Deepak Sharma, Advocate
for the petitioner.

NIRMALJIT KAUR, J. (ORAL)

The present revision petition has been filed against the order dated 11.02.2019 passed by the Civil Judge (Senior Division), Ambala (for short, the trial Court), vide which, the respondent has been allowed to file counter claim.

While praying for allowing the present revision petition, learned counsel for the petitioner submitted that the respondent has also filed suit (Annexure P-6), in which she has liberty to proceed but in spite of the same, the counter claim has been filed only for delaying the suit.

A perusal of the suit (Annexure P-6) shows that the same was for restraining the petitioner from being issued Sale Tax/Luxury Tax/VAT number of temporary permit or any other number or permit or approval of any kind, whereas in the counter claim she seeks the passing of decree of permanent injunction restraining the petitioner/plaintiff from excluding the respondent/defendant from her proprietary rights over the property in dispute and also from excluding her from the project of food (restaurant) business M/s Dilli Darbar in the premises in dispute in any manner.

At this stage, learned counsel for the petitioner states that in fact she has not raised any counter claim in the written statement. If it is so, then the petitioner in any case need not be aggrieved.

Dismissed accordingly.

03.10.2019
sandeep

(NIRMALJIT KAUR)
JUDGE

Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No