

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

**SAO No.8112 of 2018 (O&M)
Date of Decision: March 25, 2019.**

Hardev Singh since deceased through LRs and others

.....APPELLANT(s).

VERSUS

Rajinder Kaur

.....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Namit Gautam, Advocate
for the appellant (s).

SURINDER GUPTA, J.(Oral)

Learned counsel for the appellants seeks permission to withdraw the appeal with liberty to move application before the trial Court to treat the issue of limitation as preliminary issue.

Dismissed as withdrawn with liberty as prayed for.

However, the liberty so granted does not mean that the trial Court has been directed to treat the issue of limitation as preliminary issue. On moving such application, the same will be decided by the trial Court in accordance with law by taking note of all the facts pleaded before it in the plaint and written statement.

**(SURINDER GUPTA)
JUDGE**

March 25, 2019.
Sachin M.

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No