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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No.873 of 2021 (O&M)

Date of Decision:08.04.2021

Gurdev Kaur alias Gurdial Kaur

..... Petitioner

Versus

Kamaljit kaur and Ors.

..... Respondents

CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL

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

ANIL KSHETARPAL, J.(Oral)

The hearing of the case was held through video conferencing on account of restricted functioning of the Courts.

This revision petition has been filed under Article 227 of the Constitution of India against an interlocutory order passed by the Civil Judge, Garhshankar, District Hoshiarpur while dismissing an application under order 6 Rule 17 CPC for permission to amend the plaint.

This bench has heard learned counsel for the petitioner at length. The plaintiff wants to delete certain facts already pleaded in the plaint. Learned trial Court in the facts of the case has found that such deletion would result in withdrawal of admitted facts.

Faced with this situation, learned counsel for the petitioner submits that the learned trial Court has given finding which would prejudice the case of plaintiff at the time of final hearing.

It is well settled that observations made while deciding applications are never binding while finally deciding the suit.

Keeping in view the aforesaid facts the revision petition is disposed of with observations that the learned trial Court would proceed to decide the suit independently without being influenced by the observations made in the impugned order.

With these observations the present revision petition is disposed of.

08.04.2021
manju

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned Yes/No
Whether reportable Yes/No