

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

(114)

C.R. No.1418 of 2021

Date of decision: 30.07.2021

Bhagati Devi

...Petitioner

Versus

Salinder and others

...Respondents

(Through video conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Chetan Kapoor, Advocate for the petitioner.

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HARSIMRAN SINGH SETHI, J. (ORAL)

Learned counsel for the petitioner submits that the observations/findings recorded by the learned District Judge, Karnal while passing impugned order dated 13.07.2021 will come in the way of the petitioner during the trial of the main suit before the trial Court.

This apprehension of the petitioner is misplaced as the findings recorded by the learned District Judge, Karnal are prima facie only for deciding the interim order dated 21.06.2021 (Annexure P/4) and the suit will be decided on the basis of the evidence, which the parties will lead before the trial Court. It is a matter of common parlance that observation of the District Judge recorded in the impugned order while deciding an application for interim relief, unless corroborated by the evidence, which will come on record during the trial, are not to be considered as dictum by

the trial Court while deciding the main suit filed by the petitioner.

Learned counsel for the petitioner submits this clarifies the apprehension of the petitioner, hence, he does not press the present petition any further and the same be disposed of as such with liberty to the petitioner to raise all his grievances before the trial Court during the course of trial in accordance with law.

Ordered accordingly.

July 30, 2021
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/N