

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

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**CR-3163-2021(O&M)
Date of Order: 09.12.2021**

AMARJIT KAUR

..Petitioner

Versus

RAMESH SHARMA (SINCE DECEASED) THROUGH HIS LRS AND
ANOTHER

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

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

ANIL KSHETARPAL, J(Oral)

The learned trial Court after noticing that the proceedings at the behest of the Bank, under The Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002, are pending and the suit property is also mortgaged with the Bank, has allowed the application under Order 1 Rule 10 CPC.

The learned counsel representing the petitioner contends that the Court has observed that the suit is collusive between the plaintiff and the defendant, in order to defeat the rights of the Bank. He submits that such findings are likely to prejudice the decision of the case.

The petitioner has also challenged another order by which the Court has vacated the interim order. The learned counsel submits that while deciding this application, the observation made by the Court with regard to the collusive nature of the suit is likely to prejudice his case.

The most of observations made by the Court while deciding interlocutory applications are not binding on the Court while deciding the suit. Hence, it is declared that observations made by the Court while deciding the interlocutory applications shall not construed as an expression of opinion

on the merits of the suit.

In view thereof, no ground to interfere is made out.

Dismissed.

All the pending miscellaneous applications, if any, are also disposed of.

December 09, 2021

(ANIL KSHETARPAL)
JUDGE

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