

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

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**Civil Revision No.3314 of 2021
Date of decision:15.12.2021**

Balbir Singh and another

...Petitioners

Versus

**Karnail Singh (since deceased) through his
LRs & Ors.**

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

**Present: Mr. J.K.Singla, Advocate
for the petitioners.**

ANIL KSHETARPAL, J (Oral)

The present revision petition is clearly a misuse of the process of law. The petitioners have lost upto the Hon'ble Supreme Court while assailing the correctness of preliminary decree. When the proceedings for preparation of final degree were pending, the petitioners have filed an application under Order 7 Rule 11 CPC for the rejection of the plaint. The learned trial court has, correctly, dismissed the same.

The learned counsel representing the petitioners contends that the decree holders do not have any right, title or interest in the property.

In the considered view of the Court, in the previous round of litigation, the aforesaid aspect has been examined and finally decided. At the stage of preparation of the final decree, the Court is merely required to partition the property by metes and bounds.

Hence, the petitioners' application for rejection of plaint is
misconceived and sheer attempt to delay justice.

Dismissed.

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

December 15, 2021
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(ANIL KSHETARPAL)
JUDGE

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