

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

CR-3522-2016 (O&M)

Date of decision: 16.08.2022

Sanjay Kumar

....Petitioner

Versus

Mukesh

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. D.S.Matya, Advocate for the petitioner

Mr. Vishal Garg Narwana, Advocate for the respondent

ANIL KSHETARPAL, J (Oral)

The defendant, in a suit for recovery, has filed the present revision petition, assailing the correctness of the order passed by the trial court. while rejecting an application under Order 7 Rule 11 of the Code of Civil Procedure, 1908. The petitioner claims that the suit filed by the plaintiff is hopelessly time barred. Such a question is a mixed question of fact and evidence. Such issue can be decided after the parties are allowed to lead evidence. Hence, no ground to interfere is made out.

Dismissed.

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

16.08.2022

rekha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

**(ANIL KSHETARPAL)
JUDGE**