

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

CR-3245-2018 (O&M)

Date of decision: 08.09.2022

Bant Singh

...Petitioner

Versus

Daljit Singh and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Akash Sheoran, Advocate for
 Mr. Rajesh Bhateja, Advocate for the petitioner
 Mr. A.D.S.Sukhija, Advocate for the respondents

ANIL KSHETARPAL, J (Oral)

The petitioner is a defendant in a suit for declaration that the plaintiff is an owner on account of the sale deed in his favour. An application filed by the defendant claiming that the suit is liable to be dismissed, in view of Section 47 of Code of Civil Procedure, 1908 and under Order II Rule 2 of the Code of Civil Procedure, 1908, has been dismissed by the trial court. The suit is pending. The defendant filed an application under Section 47 and Order II Rule 2 of the Code of Civil Procedure, 1908. The trial court has correctly dismissed the same as such issues can be decided only after the parties are permitted to lead evidence. Hence, no ground to interfere is made out.

Dismissed.

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

08.09.2022

rekha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)

JUDGE