

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

CR-5985-2018 (O&M)

Date of decision: 29.10.2022

Kulbir Kaur and another

....Petitioner

Versus

Kulbir Singh and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Rajesh Arora, Advocate for the petitioners

Mr. Vivek Goel, Advocate for the respondents

ANIL KSHETARPAL, J (Oral)

When the trial of the suit was at its fag end, the petitioners filed an application for framing an additional issue on the question of the petitioners being the bona fide purchasers. The trial court dismissed the same on the ground that the petitioners have already led evidence and the court will decide the aforesaid question.

Challenging its correctness, the present revision petition has been filed. Undoubtedly, Order XIV Rule 1 of the Code of Civil Procedure, 1908, lays down that the issue arising from every material proposition of fact, affirmed by one party and denied by the other, is required to be framed. However, keeping in view the fact that the suit is at the advance stage and the parties have already led their evidence including on the question of the bona fide purchaser, therefore, the revision petition is disposed of with observations that the trial court will decide the aforesaid question while deciding the suit.

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

29.10.2022

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)

JUDGE