

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

CR-5606-2019 (O&M)

Date of decision: 07.04.2022

Gurpreet Singh

....Petitioner

Versus

Jarnail Singh and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. B.M.Vinayak, Advocate for the petitioner

Mr. K.P.Singh, Advocate for respondent no.2 and 3

ANIL KSHETARPAL, J (Oral)

CM-4237-CII-2022

Allowed as prayed for, subject to all the just exceptions.

Legal representatives of deceased respondent no.1-Jarnail Singh, as mentioned in para 4 of the application, are permitted to be brought on record, for the purpose of defending the present revision petition.

Main case

Learned counsel representing the respondent does not dispute the fact that the trial court, while passing the impugned order, has overlooked the contents of the application, filed by the plaintiff under Order 6 Rule 17 of the Code of Civil Procedure, 1908. In fact, the trial court was factually incorrect while observing that the plaintiff has not disclosed either the sale deeds or the particulars of the purchasers in the application.

Keeping in view the aforesaid facts, the order under challenge is set aside while directing the trial court to re-decide the application, in accordance with law.

Disposed of.

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

07.04.2022
rekha

(ANIL KSHETARPAL)
JUDGE

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