

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

CR-7778-2018 (O&M)

Date of decision: 20.09.2023

Daljit Singh

..Petitioner

Versus

Balwinder Singh and others

.Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Surinder Garg, Advocate for the petitioner
Mr. Amaninder Singh Sekhon, Advocate for
respondent no.2 to 5

ANIL KSHETARPAL, J (Oral)

An application filed by the petitioner (defendant No.6) for dismissing the counter claim, as not maintainable, has been rejected by the trial court. It has been found that the counter claim has been filed against the plaintiffs as well as the defendants.

Heard the learned counsel representing the parties at length and with their able assistance perused the paperbook. The learned counsel representing the appellant contends that the counter claim is not maintainable against the co-defendants.

On the other hand, the learned counsel representing the respondent submits that the counter claim is not only against the co-defendant but also against the plaintiffs.

In the considered opinion of the Court, it would not be appropriate to finally opine on the aforesaid subject at this stage. The petitioner shall have the liberty to press this point at the time of the final arguments.

Disposed of.

Needless to observe that the observations made by the trial court in the impugned order shall not be construed as final expressions on the merits of the case.

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

20.09.2023

rekha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE