

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

C.R. No.1950 of 2023 (O&M)

Date of Order:21.11.2023

Anoop Jain and another

.Petitioners

Versus

Satinderjit Singh

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Ms. Sarika Gupta, Advocate
for the petitioners.

ANIL KSHETARPAL, J

1. The correctness of the interlocutory order passed by the trial court while dismissing the plaintiffs' application for framing the additional issues has been challenged in this revision petition.

2. The petitioners herein have filed a suit for grant of decree of declaration that they continue to be the joint owners in possession of the suit land and the proceedings of partition are null and void and the defendants have executed various sale deeds on the basis of wrong revenue entries.

3. On 19.04.2017, the court framed the following issues:-

“1. Whether the proceedings before the revenue authorities qua partition of the land in the present case are null and void?OPP

2. Whether the plaintiff is directed to decree for declaration prayed for?OPP

3. Whether the plaintiff is directed to decree of permanent injunction?OPP

4. Whether the suit of the plaintiff is not maintainable?OPD

5. Whether the plaintiff has no locus standi and cause of action in the present case?OPD
 6. Whether the suit is within the limitation?OPP
 7. Relief.”
4. Thereafter, the plaintiffs led their evidence. When the suit was at the stage of cross-examination of defendant no.1, an application was filed by the plaintiffs for framing the additional issues with respect to the validity of the aforesaid sale deeds. The trial court has opined that there is no requirement of framing a distinct issue because issues no.1 and 2 would cover the entire case.
5. The correctness of the aforesaid order has been challenged in this revision petition.
6. The learned counsel representing the petitioners contends that the defendants have not disclosed the complete address of the vendees and therefore they have not been impleaded as a party and the plaintiffs are not able to lead evidence in this regard.
7. In this case, the plaintiffs have only assailed the correctness of the order passed by the trial court on 16.02.2023, while dismissing their application for framing the additional issues.
8. This court while exercising the revisional jurisdiction against the interlocutory order is not expected to expand the scope of the revision petition in order to decide the suit.
9. At this stage, the learned counsel representing the petitioners submits that the defendants in the cross-examination have stated that they do not have the copy of the sale deed.
10. This court has considered the submission of the learned counsel

representing the parties.

11. The scope of this revision petition has already been delineated and it is limited.
12. Hence, no ground to interfere is made out.
13. Dismissed accordingly.
14. All the pending miscellaneous applications, if any, are also disposed of.

November 21, 2023
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned
Whether reportable

:YES/NO
:YES/NO