

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

133

CR-3322-2023 (O&M)
Date of decision: 28.07.2023

DR. BHAGIRATH

....Petitioner

Versus

SANJAY KUMAR AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present : Mr. Surinder Singh Siao, Advocate for the petitioner.

Mr. Anil Bansal, Advocate with
Ms. Surjit Kaur, Advocate for respondent No.1.

ANIL KSHETARPAL. J.(Oral)

1. Heard, learned counsel representing the parties at length.
2. Petitioner herein is defendant No.3 in a pending suit for the grant of decree of specific performance of the agreement to sell, permanent injunction and peaceful possession. An application filed by the petitioner under Order VII Rule 11 CPC, to reject the plaint on the ground that there is no cause of action in favour of the plaintiff, has been dismissed by the trial court.
3. After arguing the case at sufficient length, learned counsel representing the petitioner submits that the revision petition be disposed of while directing the trial Court to frame a distinct issue on the maintainability of suit which should be decided uninfluenced by the observations made in the impugned

order.

- 4. Learned counsel representing respondent No.1 has no objection to the aforesaid proposal.
- 5. Ordered accordingly.

(ANIL KSHETARPAL)
JUDGE

July 28, 2023
Amandeep

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