

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR-6184-2022

Date of Decision :17.04.2023

Danish Khan

..Petitioner

Versus

Hamda Khanam and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. K.B. Raheja, Advocate for the petitioner.

Mr. Sunny Singla, Advocate for the respondents.

Harsimran Singh Sethi, J. (Oral)

Present petition has been filed against the order dated 05.11.2022 (Annexure P/4) of the Court below by which, the application for objections and framing of issues by the petitioner has been dismissed.

Learned counsel for the respondents submits that qua the challenge to the impugned order, the revision petition is not maintainable and only an appeal is maintainable.

Learned counsel for the petitioner submits that though, there are contradictory judgments but keeping in view the objection raised, present petition may kindly be disposed of having been not pressed any further with liberty to the petitioner to file an appropriate appeal.

Learned counsel for the petitioner further submits that as the petitioner was availing the present remedy, the appeal when preferred might not be in limitation and an appropriate order qua the limitation issue may kindly be passed.

It may be noticed that there is an appropriate provision in the

Limitation Act in case anyone is pursuing wrong remedy qua the computation of limitation. In case, any objection qua the appeal being beyond limitation is raised, the Court will consider the issue in a correct perspective when raised with appropriate plea.

Parties have agreed that interim order dated 23.12.2022 passed by a Coordinate Bench of this Court will continue to operate for next two weeks.

It may be noticed that this Court is not observing anything on the merits of the case even qua the interim order, which is allowed to be continue for a period of next two weeks.

Present civil revision stands disposed of in above terms.

April 17, 2023
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(HARSIMRAN SINGH SETHI)
JUDGE

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