

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

120

2024:PHHC:051255

CR-4406-2016 (O&M)
Date of decision: 16.04.2024

TEJPAL SINGH AND ORS ..Petitioners

Versus

HARJINDER SINGH AND ORS ..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Amit Jain, Sr. Advocate
with Mr. Varun Parkash, Advocate
for the petitioners.

Mr. Veneet Sharma, Advocate
for respondent No.1.

Mr. Sudhir Nar, Advocate
for respondent No.3.

Mr. G.S. Sirphikhi, Advocate
for respondent No.4 and 5.

ANIL KSHETARPAL, J(Oral)

1. The plaintiffs filed a suit for separate possession by way of partition. During the pendency of the suit, two applications were filed under Order I Rule 10 of the Code of Civil Procedure, 1908, for impleading them as defendants, which were allowed. Against the aforesaid interlocutory order, this revision petition was filed in the year 2016.
2. During the pendency of this revision petition, the trial of the case has been completed and evidence of both the parties has been recorded.
3. The learned counsel representing the respondents submits that the case is now fixed for final arguments on 16.04.2024, i.e. today.
4. Keeping in view the aforesaid facts, it would not be appropriate to pass any order in this revision petition, however, if the plaintiffs suit is dismissed, he will have liberty to challenge the correctness of impugned

interlocutory order dated 26.04.2016 while filing the first appeal in accordance with Order XLIII Rule 1 A of the Code of Civil Procedure, 1908.

- 5. With these observations, the present petition is disposed of.
- 6. All the pending miscellaneous applications, if any, are also disposed of.

April 16th, 2024
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(ANIL KSHETARPAL)
JUDGE

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