

2024:PHHC:056648
**131 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CR-1477-2023 (O&M)
Date of decision: 25.04.2024

Kissan Tractors
....Petitioner

Versus

Aslam and others
..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Diwan S Adhlakha, Advocate for the petitioner
Mr.S.S.Dinarpur, Advocate and
Mr. Rohit Singh, Advocate for respondent no.1, 2 and 4
Mr. Harsh Mehla, Advocate for respondent no.3 and 5

ANIL KSHETARPAL, J (Oral)

1. This revision petition has been filed by the defendant to assail the correctness of trial court's order permitting the plaintiff to amend the caption of the plaintiff in order to seek decree of declaration. Admittedly, the plaintiff, while filing the suit, claims relief of possession as well as permanent injunction. The relief of possession is a larger relief, which implicatedly includes the relief of declaration. In any case, the petitioner will be entitled to take objection with regard to the relief of declaration being time barred by requesting the trial court to identify it as a separate issue, which will be decided in accordance with law.

2. With these observations, disposed of.

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

25.04.2024
rekha
Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE