

2024:PHHC:092497



125 -a IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR-3113-2023 (O&M)
Decided on:-23.07.2024

Raghibir Singh

....Petitioner..

vs.

Parveen Goyal and another

....Respondents.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr.G.S. Sandhu, Advocate,
for the petitioner.

Mr. Avnish Mittal, Advocate with
Mr. Vaibhav Sehgal, Advocate,
for the respondents.

HARKESH MANUJA J. (Oral)

1. By way of present revision petition filed under Article 227 of the Constitution of India, challenge has been laid to an order dated 26.04.2023 (Annexure P-1) passed by the Court of Additional District Judge, Ludhiana, whereby, the order dated 23.03.2023 passed by the learned Civil Judge (Junior Division), Ludhiana in an application under Order 39 Rule 1 & 2 CPC, filed at the instance of petitioner-plaintiff, stands set aside.

2. At the outset, learned counsel for the petitioner submits that in view of the order of even date i.e. 23.07.2024 passed in connected petition bearing CR-3559-2024, titled as ***“Parveen Goyal and another vs. Raghibir Singh”***, wherein the prayer made on behalf of the petitioner-plaintiff qua grant of amendment in the plaint has been upheld, thus, the petitioner would

not press the present petition with liberty to move fresh application under Order 39 Rules 1 & 2 CPC before the Trial Court.

3. In view of the aforesaid, the present petition is disposed of with the aforesaid liberty, so as to file fresh application under Order 39 Rules 1 & 2 CPC in the wake of amended pleadings and the Trial Court is requested to decide the same on its merits.

23.07.2024
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(HARKESH MANUJA)
JUDGE

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