



138 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR-4143-2024
Decided on:-31.07.2024

Avtar Singh and anotherPetitioners..
VS.

Narinder Kumar and anotherRespondents.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Gopal Sharma, Advocate for the petitioners.

HARKESH MANUJA J. (Oral)

1. By way of present petition filed under under Article 227 of the Constitution of India, challenge has been laid to an order dated 18.04.2024 (Annexure P-1) passed by learned Civil Judge (Senior Division) Fatehgarh Sahib, whereby, an application filed under Order 6 Rule 17 CPC, at the instance of respondents-plaintiffs, seeking amendment of plaint for converting their suit for permanent injunction into a suit for possession by way of specific performance, stands allowed.

2. Learned counsel for the petitioners very fairly submits that at this stage, he may be permitted to withdraw the present revision petition with an opportunity to seek trial of his plea regarding the suit being barred under Order 2 Rule 2 CPC as preliminary issue upon framing of issues by the trial Court.

3. In view thereof, the present petition is dismissed as withdrawn with aforesaid liberty.

31.07.2024
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(HARKESH MANUJA)
JUDGE

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