



CR-7078-2023

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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CR-7078-2023

Date of decision : 10.12.2024

Gurmeet Singh and another

... Petitioners

Versus

Amarjit Singh and others

... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr.P.S. Punia, Advocate
for the petitioners.

VIKAS BAHL, J.(ORAL)

1. This is a Civil Revision Petition filed under Article 227 of the Constitution of India for setting aside the order dated 29.04.2019 passed by the Civil Judge (Jr.Div.), Payal (Annexure P-1) and order dated 21.09.2023 passed by the Additional District Judge, Ludhiana (Annexure P-2), vide which the application of respondent no.1 under Order 39 Rules 1 and 2 CPC has been allowed by both the Courts.

2. Learned counsel for the petitioners has submitted that at this stage, he would limit his prayer to two aspects. The first prayer is that the suit being of the year 2018, the trial Court be requested to decide the suit as expeditiously as possible. The second prayer made by the petitioners is that the main suit be decided independent of the observations made in the impugned orders.



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also the fact that the suit is of the year 2018 and it being a settled principle of law that the observations made in the order passed in an application under order 39 Rules 1 and 2 CPC is only for the purpose of deciding the said application and the main suit is required to be decided on the basis of evidence led by the parties, the present petition is disposed of with a request to the trial Court to decide the suit, as expeditiously as possible.

4. It is made clear that the trial Court would decide the main suit independent of the observations made in the impugned orders vide which the application under Order 39 Rules 1 and 2 CPC has been decided.

(VIKAS BAHL)
JUDGE

December 10, 2024
Davinder Kumar

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