

Baldev Singh and another

...Petitioners

Versus

Madanpal Singh

...Respondent

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH

Present: Mr. Mandeep Nagpal, Advocate for the petitioners.

GURBIR SINGH, J. (ORAL)

1. The present revision petition has been filed under Article 227 of the Constitution of India for setting aside the impugned order dated 07.10.2023 (Annexure P-1) passed by the Ld. Civil Judge (Jr. Division), Kharar whereby application filed by the petitioners under Order 7 Rule 11, has been dismissed and further prayer has been made for directing the learned trial Court to decide the above mentioned application afresh as per law.
2. After arguing for some time, learned counsel for the petitioners wishes to withdraw the petition and submits that petitioners would be satisfied if question of limitation be decided as preliminary issue.
3. Keeping in view the fact that written statement is yet to be filed so in the interest of justice, if in the written statement question of limitation is raised and petitioners move an application for treating the question of limitation as preliminary issue, then the said application be disposed of expeditiously in accordance with the law by the trial Court.
4. Dismissed as withdrawn with aforesaid liberty.

12.02.2024

Parveen kumar

(GURBIR SINGH)

JUDGE

Whether speaking/reasoned :Yes/No

Whether reportable :Yes/No