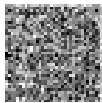


IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

128

2025.PHHC:005668



CR-221-2025  
Date of decision: 16.01.2025

KARAMJIT KAUR AND ANR ..Petitioners  
Versus  
TARA SINGH ..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Haravtar Singh Saini, Advocate  
for the petitioners.

ANIL KSHETARPAL, J(Oral)

1. This revision petition has been filed by the defendants in a pending suit against interlocutory order passed by the trial Court dismissing their application for treating the issue of non-maintainability of the suit on the ground of *res judicata* as preliminary suit. The plaintiffs have filed suit for grant of permanent injunction claiming to be in settled possession. The defendants suit is also pending. As per the judgment passed in *Sathyanath and another Vs. Sarojmani, (2022) 7 SCC 644*, only those issues can be treated as preliminary issue where no evidence is required to be led.
2. For proving that the subsequent suit is barred by principle of *res judicata*, the defendants are required to lead evidence.
3. Hence, no ground to interfere is made out.
4. Dismissed accordingly.

January 16<sup>th</sup>, 2025  
Ay

(ANIL KSHETARPAL)  
JUDGE

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