



**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

118

CR-1360-2019 (O&M)

Date of Decision : 27.05.2025

JASJIT KAUR

.... Petitioner

VERSUS

LAKHDEEP SINGH AND ORS

.... Respondents

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Sukhdeep Singh Bhinder, Advocate for the petitioner.

Mr. Sunny K. Singla, Advocate for respondents No.1 and 3.

Mr. Vaibhav Sehgal, Advocate for respondent No.2.

ALKA SARIN, J. (ORAL)

1. Challenge in the present revision petition filed under Article 227 of the Constitution of India is to the order dated 15.11.2018 passed by the learned Civil Judge (Junior Division), Ludhiana whereby the preliminary issue No.3 i.e. 'Whether the suit is hit by provisions of res judicata ? OPD' had been decided.

2. The Hon'ble Supreme Court of India in **Agricultural Produce Marketing Committee V/s State of Karnataka & Ors. [2022 (2) RCR (Civil) 497]** has held as under :

8.4 Therefore, the Courts should adjudicate on all the issues and give its findings on all the issues and not to pronounce the judgment only on one of the issues. As such it is the duty cast upon the Courts to adjudicate on all the issues and pronounce the judgment on all the issues rather than adopting a shortcut approach and pronouncing the

judgment on only one issue. By such a practice, it would increase the burden on the Appellate Court and in many cases if the decision on the issue decided is found to be erroneous and on other issues there is no adjudication and no findings recorded by the Court, the Appellate Court will have no option but to remand the matter for its fresh decision. Therefore, to avoid such an eventuality, the Courts have to adjudicate on all the issues raised in a case and render findings and the judgment on all the issues involved’.

3. Learned counsel for the parties are *ad idem* that in view of the law laid down by the Hon’ble Supreme Court in the case of **Agricultural Produce Marketing Committee** (supra), the impugned order be set aside and the matter be remanded back to the Trial Court to be heard afresh and to decide all the issues together.

4. In view of the above, the impugned order dated 15.11.2018 is set aside. The matter is remanded back to the Trial Court concerned to decide the same afresh and all the issues would be decided together after the evidence has been concluded.

5. The present revision petition stands disposed off accordingly. Pending applications, if any, also stand disposed off.

6. It is made clear that any observations made herein shall not be treated as an expression of opinion on the merits of the case.

27.05.2025

Aman Jain

NOTE:

*Whether speaking/non-speaking: Speaking
Whether reportable: Yes/No*

(ALKA SARIN)

JUDGE