



CR-2678-2024(O&M)

1

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CR-2678-2024(O&M)

Date of decision : 05.02.2025

Nirmal Kaur

... Petitioner

Versus

Ajay Chopra and another

... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr.Gurmeet Singh, Advocate and
Mr.S.K.Kanojia, Advocate
for the petitioner.

VIKAS BAHL, J.(ORAL)

1. This is a Civil Revision Petition filed under Article 227 of the Constitution of India for setting aside the impugned order dated 02.07.2022 (Annexure P-19) passed by the Civil Judge (Jr.Div.), Dasuya and the order dated 31.01.2024 (Annexure P-21) passed by the Additional District Judge, Hoshiarpur.

2. Learned counsel for the petitioner has submitted that the petitioner be permitted to withdraw the present petition with liberty to take up all the points, which are available to her, during the course of trial. It is submitted that the trial Court would consider the case of the petitioner independent of the observations made in the impugned order.

3. It is a matter of settled law that the observations made in the proceedings under Order 39 Rules 1 and 2 CPC are only for the purpose of



CR-2678-2024(O&M) 2

deciding of the said application and the suit is to be decided independently after taking into consideration the evidence and documents on record.

4. In view of the above, the present petition is dismissed as withdrawn with the liberty to the petitioner to take up all the points, which are available to her, during the course of trial.

5. Needless to say that the trial Court would decide the suit independent of the observations made in the impugned order which has been passed in the proceedings under Order 39 Rules 1 and 2 CPC.

(VIKAS BAHL)
JUDGE

February 05, 2025
Davinder Kumar

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