



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

CR-3410-2024

Date of decision : 06.03.2025

**Nand Kishore (Deceased) through
his legal representatives and another**

...Petitioners

Vs.

Radha Krishan

...Respondent

CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.Vikas Arora, Advocate
for the petitioners.

None for the respondent.

ANIL KSHETARPAL, J. (Oral)

1. The respondent despite receipt of notice has not entered appearance.
2. The defendant assails the correctness of the trial Court's order dismissing his application under Order VII Rule 11 of the Code of Civil Procedure, 1908.
3. Learned counsel representing the petitioners contends that the trial Court has failed to examine that the suit filed by the plaintiff was filed beyond the period of limitation as the sale deed executed in the year 1985 has been challenged in a suit filed in the year 2020. He draws the attention of the Court to the application under Order VII Rule 11 of the CPC to contend that the objection with regard to suit having been filed beyond the period of limitation has not been examined by the trial Court.



4. This Court has considered the submission made by the learned counsel representing the petitioners.
5. The trial Court has failed to consider the petitioner's objection.
6. Hence, the revision petition is disposed of with liberty to the petitioner to file an application before the trial Court for considering this objection. If such application is filed, the same shall be decided in accordance with law within a period of two months.

06.03.2025
neeraj

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No