



CR No.2786 of 2023

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

253

Civil Revision No.2786 of 2023
Date of decision: April 29th, 2026

Prabh Kiran Singh Dhillon through his GPA

.....Petitioner

Versus

Mandeep Singh and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Pawan Kumar, Senior Advocate
with Ms. Vidushi Kumar, Advocate
for the petitioner.

Mr. Amarpreet Singh, Advocate
for respondents No.1 and 2.

VIKAS BAHL, J. (ORAL)

1. This is a civil revision petition under Article 227 of the Constitution of India for quashing the order dated 18.03.2023 passed by Civil Judge (Junior Division), Bathinda, vide which the application under Order VII Rule 11 CPC filed by the petitioner has been dismissed.

2. Learned senior counsel for the petitioner has submitted that the application under Order VII Rule 11 CPC was filed primarily on three points, i.e. the suit being barred by limitation, inadequate court fee having been affixed with the plaint and on the point of *res judicata*. Learned senior counsel for the petitioner has submitted that all the said three objections have been taken in the written statement filed by the petitioner and has further submitted that certain observations have been made in the impugned order which prejudice the petitioner and in the said circumstances has submitted that the petitioner be permitted to withdraw the present petition



with liberty to raise all the said three pleas during the course of trial and has further prayed that in case the same is done, the trial Court be directed to decide the said issues *dehors* the observations made in the impugned order.

3. Learned counsel for respondents No.1 and 2 has submitted that respondents No.1 and 2 also be granted liberty to raise all objections with respect to all the issues including the three issues highlighted by learned senior counsel for the petitioner.

4. Keeping in view the abovesaid facts and circumstances and the fair stand taken by the senior counsel for the petitioner as well as counsel for respondents No.1 and 2, the petitioner is permitted to withdraw the present petition with liberty to raise all the points including the three points which have been raised in the written statement, during the course of trial and in case the petitioner raises the said pleas during the course of trial, the trial Court would decide the said issues at the stage of final adjudication, *dehors* the observations made in the impugned order, after hearing the parties concerned.

April 29th, 2026
Puneet

(VIKAS BAHL)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No