



CM-8051-CII-2026 in/and CR-5015-2024

1

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

123+298

CM-8051-CII-2026 in/and
CR-5015-2024 (O&M)
Date of decision: May 6th, 2026

Dilbagh Singh and others

.....Petitioners

Versus

Mohinder Singh (deceased) through his LR and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. B.S. Mittal, Advocate
for the petitioners.

Mr. Dheeraj Mahajan, Advocate
for respondent No.1(i).

VIKAS BAHL, J. (ORAL)

1. This is a civil revision petition under Article 227 of the Constitution of India for setting aside the order dated 25.07.2024 passed by the Civil Judge (Junior Division), Batala, vide which the objections under Order 21 Rules 97 to 106 CPC and Section 151 CPC filed by the petitioners have been dismissed.
2. Learned counsel for respondent No.1(i) has raised a preliminary objection and has submitted that the impugned order is appealable under Order XXI Rule 103 CPC.
3. Learned counsel for the petitioners has submitted that in view of the same, the petitioners be permitted to withdraw the present petition with liberty to file the abovesaid appeal. It is further prayed that since the petitioners were pursuing the present remedy, thus, in case the appeal is filed



CM-8051-CII-2026 in/and CR-5015-2024

2

within a period of one month from today, the First Appellate Court be requested not to dismiss the appeal solely on the ground of limitation.

4. Learned counsel for respondent No.1(i) has submitted that they have no objection to the said course of action.
5. Keeping in view the abovesaid facts and circumstances, the petitioners are permitted to withdraw the present petition with liberty to file an appeal in accordance with law. It is made clear that in case the petitioners file an appeal within a period of one month from today, the First Appellate Court would not dismiss the same solely on the ground of limitation.
6. Pending applications, if any, stand disposed of.

May 6th, 2026
Puneet

(VIKAS BAHL)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No