



306

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

CR-7455-2023 (O&M)
Date of decision: 13.01.2026

MAHENDER KUMAR

....Petitioner

Versus

DHARAMBIR AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Sushil Jain, Advocate
for the petitioner.

VIKAS BAHL, J. (ORAL)

1. This is a civil revision petition filed under Article 227 of the Constitution of India praying for setting aside the order dated 29.08.2023 passed by Additional Civil Judge (Senior Division), Ganaur, whereby the application dated 12.07.2022 filed by the petitioner under Order 7 Rule 11 of CPC was dismissed.

2. Learned counsel for the petitioner, after arguing for some time, on seeing that this Court is not inclined to interfere in the impugned order, as in the impugned order it has been stated that question of limitation is a mixed question of law and fact, seeks to withdraw the present revision petition with liberty to raise all pleas including the plea of limitation in the written statement which is yet to be filed by the petitioner. Learned counsel has further submitted that the trial Court be directed to decide all the issues in accordance with law including the issue of limitation *de hors* the observations made in the impugned order.

3. Keeping in view the above said facts and circumstances and the fair stand taken by the counsel for the petitioner, present revision petition is dismissed as withdrawn with liberty to the petitioner to raise all pleas which are available to him including the plea of limitation in the written statement to be filed by him, and also raise all the pleas during the course of trial. The trial Court would decide all the issues on the basis of pleadings of the parties *de hors* the observations made in the impugned order.
4. Pending applications, if any, shall stand disposed of accordingly.

(VIKAS BAHL)
JUDGE

13.01.2026
mohit goyal

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