

RSA No.109 of 2018.

15.11.2018. Present: Mr. R.K. Sharma, Senior Advocate with Mr. Naresh Kaul, Advocate, for the appellant.

Mr. Ajay Sharma, Advocate, for the respondents.

Admit on the following substantial questions of law:-

1. Whether the right of the plaintiffs to recover the suit land had become extinguished under Section 27 of the Limitation Act?
2. Whether in view of earlier suit of the plaintiffs having been dismissed under Order 9 Rule 8 CPC, the present suit was maintainable and not barred by the principle of res judicata?

CMP No. 2090 of 2018.

In view of admission of the appeal, the interim order dated 21.03.2018 is made absolute during the pendency of the appeal. Application stands disposed of. Alteration, modification and vacation, on motion.

(Tarlok Singh Chauhan)
Judge

November 15, 2018.
(krt)