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CR-2975-2021

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

(125)

CR-2975-2021

Date of decision: - 24.03.2026

Singhraj

....Petitioner

Versus

Ravinder and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Jayant Yadav, Advocate,
for Mr. P.R. Yadav, Advocate,
for the petitioner.

Mr. Sukhandeep Singh, Advocate
for the respondents.

VIKAS BAHL, J. (ORAL)

1. Present civil revision petition has been filed under Article 227 of the Constitution of India for setting aside the order dated 25.08.2021 (Annexure P-14) passed by the Civil Judge (Junior Division), Faridabad and also for setting aside the order dated 12.10.2021 (Annexure P-16) passed by the Additional District Judge, Faridabad.

2. Learned counsel for the petitioner, after arguing for some time and after seeing that this Court is not inclined to interfere in the matter, has submitted that the petitioner be permitted to withdraw the present revision petition with liberty to raise all the pleas which are available to him during the course of trial. It is further submitted that the



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trial Court be directed to decide the case independent of the observations made in the impugned orders.

3. Learned counsel for the respondents has submitted that the trial Court be directed to decide the case after hearing both the parties concerned and also de hors of the observations made by the trial Court in the order passed under Order 39 Rule 1 and 2 CPC.

4. It is a matter of settled law that the observations made in the order deciding an application under Order 39 Rule 1 and 2 CPC are not to be taken into consideration while finally adjudicating the matter.

5. Keeping in view the above-said facts and circumstances, the petitioner is permitted to withdraw the present revision petition with liberty to raise all the pleas which are available to him during the course of trial. The trial Court would decide the main suit after hearing both the parties, in accordance with law, de hors of the observations made in the impugned order passed by the 1st Appellate Court as well as by the trial Court in the orders dated 12.10.2021 and 25.08.2021.

March 24, 2026
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No