

Gurdev Singh vs Harvinder Singh on 9 November, 2022

Bench: M.R. Shah, M.M. Sundresh

ITEM NO.9

COURT NO.5

SECTION IV

S U P R E M E C O U R T O F
RECORD OF PROCEEDINGS

I N D I A

Petition for Special Leave to Appeal (C) No. 19018/2022
(Arising out of impugned final judgment and order dated 10-10-2022
in CRN No. 3324/2022 passed by the High Court Of Punjab & Haryana
at Chandigarh)

GURDEV SINGH

VERSUS

Petition

HARVINDER SINGH

Respondent

(FOR ADMISSION and I.R. and IA No.160236/2022-EXEMPTION FROM FILING
C/C OF THE IMPUGNED JUDGMENT)

Date : 09-11-2022 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE M.R. SHAH
HON'BLE MR. JUSTICE M.M. SUNDRESH

For Petitioner(s)

Mr. Arun Kumar Goyat, Adv.
Mr. Subhasish Bhowmick, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

The application preferred by the petitioner to reject the plaint under Order 7 Rule 11 of the Code of Civil Procedure, 1908 (CPC) has been dismissed by the Trial Court which has been confirmed by the High Court. It is the case on behalf of the petitioner that the plaintiff is not entitled to any relief in the suit. The aforesaid cannot be a ground to reject the plaint at the threshold in exercise of powers under Order 7, Rule 11 of the CPC. The learned Trial court has rightly rejected the application under Order 7, Rule 11 of the CPC, which is rightly not interfered with by the High Court. We are in complete agreement with the view taken by the High Reason: Pending application(s), if any, shall stand disposed of.

(NEETU SACHDEVA)
ASTT. REGISTRAR-cum-PS

(NISHA TRIPATHI)
ASSISTANT REGISTRAR