

Court No. - 1

Case :- MATTERS UNDER ARTICLE 227 No. - 8857 of 2023

Petitioner :- Mohd. Imran

Respondent :- Qamar Noor And 2 Others

Counsel for Petitioner :- Arvind Srivastava, Fahd Iqbal

Hon'ble Jayant Banerji, J.

1. Heard learned counsel for the petitioner.

2. This petition has been filed seeking the following relief:

"(i) set aside the order dated 11.11.2021 passed by Civil Judge (J.D.) Pilibhit in O.S. No. 386 of 2020: Qamar Noor Versus Imran; And order dated 05.11.2022 passed by District Judge Pilibhit in Civil Revision No.5 of 2022 Mohd. Imran Versus Qamar Noor.

(ii) Direct to civil judge (J.D.) to allow the petitioner's application (Paper No.20ga) under order 7 rule 11 C.P.C.

(iii) Issue any other writ order or direction which this Hon'ble court may deem fit and proper under the circumstances of the case.

(iv) Award the cost of petition to the petitioners."

3. Learned counsel for the petitioner states that this petition seeks a relief that is similar to the relief sought in Matters Under Article 227 No. 8855 of 2023, that has been dismissed by the Court today. It is his contention that in this petition too, the rejection of the application filed by the defendant under Order 7 Rule 11 CPC is under challenge in a suit seeking cancellation of a sale deed.

4. This petition is, therefore, **dismissed** in terms of the order of date passed in Matters Under Article 227 No. 8855 of 2023.

Order Date :- 3.11.2023

A. V. Singh

(Jayant Banerji, J.)