

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

C. R No. 6764 of 2015 (O&M)

Date of decision : 14.12.2015

M/s Gokaldass Images Pvt. Ltd.

....Petitioner

versus

M/s Rainbow Denim Ltd.

...Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Manu K. Bhandari, Advocate
for the petitioner.

Mr. Rahul Sharma-I, Advocate
for the respondent.

RITU BAHRI , J. (Oral)

Challenge in this petition is to order dated 17.07.2015 passed by learned Addl. Civil Judge (Sr. Divn.), Derabassi, vide which the application filed by the petitioner for rejection of plaint, has been dismissed.

Learned counsel for the parties has informed the Court that after recording the evidence of the plaintiff, the trial is at the stage of recording the evidence of the defendant-petitioner.

While dismissing the application of the petitioner, it has been observed that the main ground for rejection of plaint was that the Courts at Bangalore had the jurisdiction to entertain the suit but the question of jurisdiction is mixed question of fact and law and this tribal issue can be

decided when both the parties lead their evidence in respect of their respective pleadings/submissions.

Keeping in view the fact that the trial is at advance stage, the present petition is ***disposed of*** by giving a liberty to the parties to take all the pleas before the trial Court.

14.12.2015

G Arora

(RITU BAHRI)
JUDGE