

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

CR No.6837 of 2015

Date of Decision: September 21, 2015

Baldev Singh

.... Petitioner

vs.

Punjab State Warehousing Corporation

.... Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. Dinesh Kumar, Advocate for the petitioner.

1. *Whether Reporters of Local Newspapers may be allowed to see the judgment?*
2. *To be referred to the Reporters or not?*
3. *Whether the judgment should be reported in the Digest?*

Kuldip Singh J.(Oral)

Impugned in the present revision petition is the order dated 15.09.2014 passed by learned Addl. Civil Judge (Sr. Divn.), Sangrur, vide which the application of the present petitioner for rejection of the plaint was dismissed.

A perusal of the plaint shows that Punjab State Warehousing Corporation has filed a suit for recovery of ₹1,83,967/- along with interest. It is pleaded that the departmental proceedings were held, in which some amount was ordered to be deducted from his be-balance.

Learned counsel for the petitioner has placed reliance upon the authority of Hon'ble the Supreme Court in case of "***Punjab State Civil Supplies Corp. Ltd. vs Sikander Singh***", AIR 2006, Supreme Court, 1438.

A perusal of the said authority shows that it pertains to regular second appeal. The petitioner seeks the rejection of the plaint. The questions whether the suit is maintainable or not and whether the recovery can be effected or not are questions of fact and can be determined only after recording of the evidence.

Therefore, there is no ground to interfere in the order of dismissing the application for rejection of the plaint.

Accordingly, the present revision petition stands dismissed.

September 21, 2015
sarita

(KULDIP SINGH)
JUDGE