

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

CR No.8001 of 2015

Date of decision : 30.11.2015

M/s Sunny Motors Pvt. Ltd.

...Petitioner

Versus

M/s YKM Infrastructures Pvt. Ltd.

...Respondent

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL.

1. Whether reporters of local newspapers may be allowed to see judgment ?
2. To be referred to reporters or not ?
3. Whether the judgment should be reported in the Digest ?

Present: Mr. Jagvinder Singh Santwal, Advocate for the petitioner.

AMIT RAWAL, J. (Oral)

The petitioner-defendant is aggrieved of the impugned order, whereby the application under Order 7 Rule 11 CPC filed on the following grounds, has been dismissed:-

- i) The entire amount as allegedly claimed in suit under Order 37 has been paid to one Mr. S.K. Jaiswal.
- ii) The Court at Chandigarh did not have the territorial jurisdiction as defendant-petitioner resides at Kanpur.

Mr. Jagvinder Singh Santwal, learned counsel appearing on behalf of petitioner-defendant submits, that as per the provision of Section 20

(a)(b) CPC, suit ex facie at Chandigarh is not maintainable. During the course

of hearing, I am apprised that issues yet have not been framed.

The petitioner-defendant shall be at liberty to take objection with regard to the jurisdiction in the proposed written statement intended to be filed and seek decision of the same in accordance with the provision of Order 14 of the Code of Civil Procedure. The alleged ground of payment of the transfer of money through RTGS in the name of a individual person, though the respondent-plaintiff is being represented by company, would not be a sufficient ground of dismissal of the suit.

With the aforementioned observation, I do not intend to differ with the findings rendered by the trial Court. The order cannot be said to have been passed without jurisdiction.

Revision petition is dismissed.

30.11.2015

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**(AMIT RAWAL)
JUDGE**