

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14104 of 2015

=====

Bintun Nisha

.... Petitioner/s

Versus

Nazara Khatoon & Ors

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Gautam Kumar Yadav

For the Respondent/s : Mr.

=====

CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER

2 19-05-2016

Heard the learned counsel, Mr. Gautam Kumar Yadav for
the petitioner.

This application under Article 227 has been filed for
setting aside the order dated 02.06.2015 passed by learned Munsif
II, Patna in Title Suit No.1 of 2013 whereby the learned Court
below refused to review the earlier order passed by the Court
dated 08.08.2014 by which the application filed by the petitioner
under Order VII Rule 11 (a), (b) and (d) was rejected.

The petitioner filed the application under Order VII Rule
11 (a), (b) and (d) praying for rejection of the plaint firstly, on the
ground that the plaintiff has given a wrong date for cause of
action, secondly, the suit is under valued as the value of the suit
property is not less than Rs.30 lacs and thirdly, that the suit filed
by the petitioner is barred under Section 9 of the Code of Civil
Procedure.

Except these grounds, no other ground has been raised by the petitioner either in the application or at the time of hearing of this writ application.

From perusal of the provision as contained in Order VII Rule 11 (a), (b) and (d), I find that none of the grounds raised by the petitioner is a ground of rejection of the plaint and, therefore, the learned Court below has rightly rejected the other application.

Thus, this writ application has got no merit and accordingly, it is dismissed.

(Mungeshwar Sahoo, J)

Saurabh/-

U		T	
---	--	---	--