

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.567 of 2016**

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Manjar Ansari

.... Appellant/s

Versus

Ramesh Kumar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Amresh Kumar Sinha

For the Respondent/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER**

2 07-09-2016

Heard learned counsel for the petitioner.

2. Perused the impugned order. It appears that the suit for specific performance was filed by the plaintiff-respondent being T.S. No. 31 of 2012 to enforce the agreement for sale of the year 2011. The defendant-petitioner filed application under Order 7 Rule 11(d) C.P.C. praying for rejection of the plaint. Except the statement in the application that the suit is barred by law of limitation, no specification is there as to under which provision, the suit is barred.

3. From perusal of the application, it appears that at one place, it is mentioned here that the suit is barred by law of limitation. The agreement is of the year 2011 and the suit has been filed in the year 2012. Therefore, there is no question of limitation arises. Thus, the learned court below has rightly rejected the application. As such, no ground for interference in the impugned

order in exercise of supervisory jurisdiction is made out. Thus, this
civil miscellaneous application is dismissed.

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(Mungeshwar Sahoo, J)

