

HIGH COURT OF CHHATTISGARH, BILASPUR**Civil Revision No.69 of 2016**

Sudhir Jain S/o Joharmal (wrongly mentioned as Jawaharmal), Aged about-54 years, Workshop-Jain Campus, Narmada Nagar Chowk Bilaspur, R/o Besides Krishna Dairy, Sadar Bazar, Bilaspur, Tahsil & District Bilaspur (CG)

---- Applicant

Versus

K.K. Sales, Proprietor-Hemant Modi S/o Shri Kamalkishor Modi, Aged about-39 years, Shop No.08, Ratan Plaza, In front of Mahima Hotel Vyapar Vihar, Bilaspur, Tahsil & District Bilaspur (CG)

---- Respondent

For Applicant	:	Mr. K.A.Ansari, Senior Advocate with Mr.Devesh Kela, Advocate
For Respondent	:	None present

Hon'ble Shri Justice Sanjay K. Agrawal

Judgment on Board

22/06/2016

1. Application filed by the applicant/defendant under Order 7 Rule 11(d) of the Code of Civil Procedure has been dismissed by the trial Court holding that the plaintiff firm has rightly filed the suit.
2. At this stage, Mr.K.A.Ansari, learned Senior Advocate with Mr.Devesh Kela, counsel for the applicant/defendant would submit that if the defendant raises the points which have been raised in this civil revision in written statement, the trial Court be directed to frame the issue on the question.
3. Needless to say that if the applicant/defendant raises the points raised in this civil revision in his written statement, the trial Court will do well and and frame the issue on such a plea without being prejudiced by the order dated 12.08.2015.
4. With the aforesaid observation, civil revision stands finally disposed of.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-