

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

CR No. 5484 of 2016

Date of decision : 09.09.2016

Sarabjit Singh Chadha

...Petitioner

V/s

Surinder Pal Singh

...Respondent

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Pawan K. Sharma, Advocate for the petitioner.

RAJAN GUPTA J.

Present revision petition is directed against the order passed by Civil Judge, Junior Division, Gurgaon for rejection of plaint by invoking Order 7 Rule 11 CPC. Trial court has dismissed the plea observing that question of court fee is a mixed question of law and fact and cannot be ground for rejection of the plaint. It has been urged before the court that suit is undervalued and no cause of action has been disclosed therein.

I am of the considered view that petitioner can raise all his pleas during the proceedings. There is no infirmity with the order whereby application under Order 7 Rule 11 CPC has been rejected.

Disposed of.

September 09, 2016

Ajay

(RAJAN GUPTA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No