

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

CIVIL REVISION NO.8543 OF 2016

DATE OF DECISION: DECEMBER 19, 2016

M/s Metal Finishers

.....Petitioner

VERSUS

Som Priani

....Respondent

CORAM:- HON'BLE MR.JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Manoj Kumar Sood, Advocate,
for the petitioner.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Challenge in this petition is to the order dated 02.11.2016 passed by the Rent Controller, Faridabad, whereby an application under Order 7 Rule 11 C.P.C. for rejection of the petition has been dismissed on the ground that the general power of attorney, which has been given to one Sh.K.L.Priani and further special power of attorney given by him to the respondent herein, who has preferred petition for eviction, is not maintainable as there is no power in the general power of attorney for further delegation of power and further the alleged general power of attorney is only a special power of attorney.

Counsel for the petitioner asserts that in the light of the provisions of Order 7 Rule 11 C.P.C., it is apparent that the alleged general power of attorney is not so and it is the special power of attorney and in that there is no provision for further delegation of powers. If there is no power to

do so, the special power of attorney, as is being sought to be executed in favour of the respondent-petitioner in the rent petition is without any authority, which would fall within the ambit of Order 7 Rule 11 C.P.C. and entitles the Court to forth-rightly reject the petition itself.

I have considered the submissions made by learned counsel for the petitioner and with his assistance have gone through the impugned order dated 02.11.2016 as also the provisions of Order 7 Rule 11 C.P.C., as reproduced in the order in question but do not find the contention of learned counsel for the petitioner falling within the ambit of said provisions referred to above. The order impugned, being in accordance with law, does not call for any interference by this Court in exercise of its revisional jurisdiction.

The revision petition, therefore, stands dismissed.

Any observation made by this Court in the above order shall have no bearing on the merits or otherwise of the pending eviction petition.

December 19, 2016
khurmi

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No