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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ C.R.P. 49/2016
PREM LATA GUPTA

..... Petitioner

Through Mr.Ruchir Batra, Advocate.

versus

MOHD RIZWAN

..... Respondent

Through Nemo.

CORAM:
HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

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04.04.2016

Order impugned before this Court is the order dated 24.02.2016. This order was passed under the provisions of Order VII Rule 11 of the CPC. The plaint had been rejected. The rejection of a plaint qualifies as a decree within the meaning of Order II Rule 2 of the CPC; such a decree is appealable and a revision is not maintainable.

Learned counsel for the petitioner submits that the suit had been filed under Section 6 of the Specific Relief Act and an appeal is not maintainable against the disposal of such a suit; a revision alone would be maintainable.

This Court is aware of this provision but noting the factual matrix of the instant case which is that the order which has been passed was under the provisions of Order VII Rule 11 of the CPC rejecting the plaint, the considered view of this Court is that an

appeal would be maintainable. This petition is dismissed as withdrawn with liberty granted to the petitioner to approach the appropriate forum.

Order dasti under signatures of the Court Master.

INDERMEET KAUR, J

APRIL 04, 2016
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