

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

CR No.4159 of 2017

Date of Decision: 28.07.2017

LAKHWINDER SINGH

-PETITIONER

VS

KASHMIR SINGH AND OTHERS

-RESPONDENTS

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. J.S.Mahal, Advocate,
for the petitioner.

RAJ MOHAN SINGH, J. (ORAL)

Petitioner has assailed order dated 09.03.2017 passed by Additional Civil Judge (Sr. Divn.), Gurdaspur vide which application under Order 7 Rule 11-A and 11-D filed by the petitioner was rejected.

Plaintiff-respondent filed a suit for declaration in which he has challenged the appointment of the petitioner/defendant No.6 on the ground that petitioner had obtained the same by way of submitting forged and fabricated documents in respect of his date of birth and education.

The argument of the petitioner is that numerous complaints filed by the plaintiff before the police and administrative authorities were inquired by the competent authorities in hierarchy and the same were found to be

baseless.

On that very score, the petitioner claims that the
plaint does not disclose any cause of action.

I have considered the submissions made by learned
counsel for the petitioner.

The factum of alleged enquiry conducted by different
authorities in hierarchy in respect of numerous complaints
allegedly filed by the plaintiff would be a defence in favour of the
petitioner to be taken at the relevant stage.

At the stage of deciding application under Order 7
Rule 11 CPC, only the averments made in the plaint are to be
seen.

Cause of action is a bundle of facts and events.

No interference is called for in the impugned order
passed by the trial Court nor the same is found to be suffered
with any error of jurisdiction.

Accordingly, the present revision is dismissed.

28.07.2017
jjyoti Y.

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No