

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

CR No. 5113 of 2017

Date of Decision: 03.08.2017

MANJIT SINGH

-PETITIONER

VS

SUKHDEV SINGH

-RESPONDENT

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Vaibhav Jain, Advocate,
for the petitioner.

RAJ MOHAN SINGH, J. (ORAL)

Petitioner has assailed the order dated 06.03.2017 passed by Civil Judge (Junior Division), Jalandhar vide which an application under Order 7 Rule 11-D read with Order 27 Rule 5A/5B and Section 151 CPC was dismissed.

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

Learned counsel for the petitioner seeks to rely upon the written statement which is not the scope of the revision. Plea of non-joinder or mis-joinder of necessary party cannot form any ground on which provisions of Order 7 Rule 11 CPC can be pressed into service.

Provisions in terms of Order 27 Rule 5A/5B do not contemplate rejection of plaint in the event of non-impleadment

of Government as necessary party to the suit.

In view of above, I do not subscribe the arguments as projected by learned counsel for the petitioner.

Accordingly, the present revision petition is dismissed.

03.08.2017
jyoti

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No