

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

CR No.2263 of 2018
Date of decision: 07.05.2018

M/s Spirit Infratech Pvt. Ltd. and others

... Petitioners

Versus

Paramjit Dhaliwal and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Kanwaljit Singh, Senior Advocate with
Mr. Abhishek Bajaj, Advocate for the petitioners.

ARUN PALLI, J. (Oral)

The plaintiffs are in revision against the order dated 20.12.2017, vide which the trial court accepted the application moved by the respondent-defendants under Order 7 Rule 10 of the Code of Civil Procedure and ordered return of the plaint; as also the order and judgment dated 07.02.2018, vide which the appellate Court dismissed the appeal preferred by the petitioners against the said order.

The trial Court ordered the plaint to be returned for under Section 430 of the Companies Act, 2013, the Civil Court lacked jurisdiction in the matter. On being pointedly asked, learned senior counsel for the petitioner could not dispute this proposition of law, and rather fairly submits that in terms of certain decisions, rendered by various High Courts, interpreting the provisions of Section 430, the civil Court would have no jurisdiction to examine or adjudicate the matter in issue.

That being so, no interference is warranted in exercise of revisional jurisdiction under Article 227 of the Constitution of India. The petition being devoid of merit is accordingly dismissed.

07.05.2018
Rajan

(Arun Palli)
Judge

Whether speaking / reasoned:	YES
Whether Reportable:	NO