

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

127

CR No.3627 of 2018
Date of decision: 02.07.2018

Seema Devi and another Petitioners

Versus

Richa Arora Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- None for the petitioners.

ANIL KSHETARPAL, J. (ORAL)

Called twice, however, no one has come present on behalf of the petitioners. On 30.05.2018, the position was same. Hence, this Court has left with no choice but to read and decide the case.

Vide order under challenge, the application under Order 7 Rule 11, CPC filed by the defendant has been dismissed. The rejection of the plaint was sought on the ground that the suit is barred by time and the proper Court fee has not been affixed. Learned trial Court has noticed that the limitation is a mix question of fact and law. The Court has further noticed that under the agreement to sell, no time was fixed for performance of the agreement to sell. On the question of Court fee, the Court has found that the proper Court fee has been affixed. A reading of the grounds of revision does not show that the plaint is liable to be rejected.

In view thereof, there is no ground to interfere with the order passed by the learned trial Court.

Revision petition is dismissed.

(ANIL KSHETARPAL)
JUDGE

02.07.2018
Dinesh Bansal

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