

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

CR No.4294 of 2017
Date of decision : 17.05.2018

Rajiv Malhotra

...Petitioner

Versus

Sanjay Malhotra and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

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

Mr. A.K. Sachdeva, Advocate and
Ms. Ayushi Sachdeva, Advocate for respondent No.1.

ANIL KSHETARPAL, J. (ORAL)

Learned counsel for the parties have fairly stated that during the pendency of the revision petition, the plaint has been rejected under Order 7 Rule 11 CPC on 02.08.2017. They have also informed the Court that the appeal against the rejection of the plaint is pending before the First Appellate Court.

In the present revision petition, the challenge is to the order dated 19.05.2017 dismissing the prayer of the plaintiff to amend the plaint. Since, such order is an interim order and validity whereof can be examined by the First Appellate Court under Order 43 Rule 1-A of the Code of Civil Procedure, therefore, the present revision petition is disposed of with the direction to the learned First Appellate Court to examine the validity of the order dated 19.05.2017 while deciding the first appeal.

17.05.2018

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No