

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

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**CR No.6776 of 2017
Date of decision: 11.05.2018**

Jagtaro Devi

..... Petitioner

Versus

Station Superintendent and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Shubhashish Kukreti, Advocate
for the petitioner.

None for the respondents.

ANIL KSHETARPAL, J. (ORAL)

Claim filed by the petitioner has been rejected on the ground that the Court does not have territorial jurisdiction. It is not in dispute that the husband of the petitioner who was serving in the Railway Department was posted at Hissar when he retired. The plaintiff filed a suit claiming declaration to the effect that she is legally wedded wife and now widow of the deceased and she claims that she is entitled to all service benefits. None of the defendants is having its office or residence at Bhatinda where the suit has been filed.

In view thereof, no error is found in the order passed. However, the learned trial Court has committed a technical error as under Order 7 Rule 10, the Court was to return the plaint for presentation before the competent Court. The Court ought to have followed the procedure as provided under Order 7 Rule 10 and 10-A, CPC.

With these observations, the revision petition is dismissed.

Learned trial Court is requested to return the plaint and followed the procedure under Order 7 Rule 10 and 10-A, CPC.

11.05.2018
Dinesh Bansal

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No