

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

CR No.738 of 2016 (O&M)

Date of decision : January 16, 2018

Ghanshyam Dass Anand

..... Petitioner

Versus

Gulshan Rai Narang and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Sandeep K. Sharma, Advocate for the petitioner.

Mr. Naveen Kumar, Advocate for respondent No.1.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

KULDIP SINGH J. (ORAL)

Impugned in the present revision petition is the order dated 23.12.2015 passed by the learned Civil Judge (Sr. Divn.), Rohtak, vide which the application filed by the defendant-petitioner for dismissal of the suit for want of permission under Section 92 CPC, was dismissed.

Heard.

I have gone through the plaint. A perusal thereof shows that the plaintiff-respondent claiming to be the Prabandhak (Manager) of Shree Avdhoot Mandal Ashram, Pracheen Brahmdas Trust filed a suit for rendition of accounts against the present petitioner Ghanshyam Dass Anand and others, stating that Ghandhyam Dass Anand was working as Sewadar and he was not rendering the accounts. The suit was filed for rendition of accounts and for permanent injunction and mandatory injunction. In the said suit, it was not alleged that there is any breach of trust. Therefore, the provisions of Section 92 CPC are not attracted in the present case. Thus,

there is no illegality or infirmity in the impugned order.

As such, the present revision petition is dismissed.

However, if the defendant-petitioner feels that the suit is not properly framed and is not maintainable, he can always raise the objection in the written statement and press for decision on the same alongwith main case.

(KULDIP SINGH)
JUDGE

January 16, 2018

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Whether speaking / reasoned	Yes
Whether Reportable:	No