

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WP227 No. 609 of 2019**

Oriental Bank Of Commerce A Body Corporate Constituted Under The Banking Companies (Acquisition And Transfer Of Undertaking) Act 1980, Having Its Head Office At E Block, Harsha Bhawan, Cannauaght Place, New Delhi, 110001 And Amongst Other Branches, A Branch At Shankar Nagar, Raipur, Chhattisgarh, Through Its Authorized Officer Shri Umesh Dhanotiya, (Branch Manager, Shanakar Nagar, Raipur) S/o Shri Ram Prasad Dhanotiya Aged About 30 Years Addrss- Obc Shankar Nagar, Raipur, 492001 Chhattisgarh.

---- Petitioner**Versus**

1. M/s Tanishka Medicos, through its proprietor Smt. Manjeet Kumari Daksh, W/o Shri Surender Kumar Daksh R/o Shop No. 6, Commercial Complex, Sales Tax Colony, Khamardih, Raipur Chhattisgarh, Also F-4, Gali No. 08, Near Karishma Apartment, VV Vihar, Mowa, Shankar Nagar, Raipur, Chhattisgarh.
2. Smt. Manjeet Kumari Daksh (proprietor of M/s Tanishka Medicos) W/o Shri Surender Kumar Daksh R/o Shop No. 6, Commercial Complex, Sales Tax Colony, Khamardih, Raipur Chhattisgarh, Also F-4, Gali No. 08, Near Karishma Apartment, VV Vihar, Mowa, Shankar Nagar, Raipur, Chhattisgarh.
3. Surender Kumar Daksh (guarantor) S/o Chottan Lal Daksh, R/o F-4, Gali No. 08, Near Karishma Apartment, VV Vihar, Mowa, Shankar Nagar, Raipur, Chhattisgarh.

----Respondents

For Petitioner : Mr. Anshuman Shrivastava, Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****06.08.2019**

1. This writ petition under Article 227 of the Constitution of India has been preferred by the petitioner against the order dated 26/06/2019 wherein learned 2nd Additional Judge to the 1st ADJ, Raipur has rejected the plaint of the petitioner in exercise of jurisdiction conferred under Order 7 Rule 11 of the CPC, which is

admittedly appealable as a decree under Section 96 of the CPC.

As such, this writ petition is not maintainable in law.

2. Accordingly, this writ petition stands dismissed. However, the petitioner is at liberty to prefer an appeal in accordance with law.
3. Certified copy of this order be returned after furnishing attested copy thereof.

Sd/-
(Sanjay K. Agrawal)
Judge

Harneet