

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No.603 of 2019(O&M)
Date of Decision: 20.03.2019

Tarunvir Singh Sohal

.....Petitioner

Versus

M/s Sandeep Agencies and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:Mr. A.S. Sidhu, Advocate
for the petitioner.

RAJ MOHAN SINGH, J.(Oral)

[1]. By referring to copy of plaint, learned counsel for the petitioner states that the plaintiff as per memo of the suit claims himself to be proprietary concern of Sh. Mangat Ram. In para No.2 of the plaint, the plaintiff has pleaded that he is lessee of defendant and proforma defendant is the partner of the plaintiff and has no adverse interest against the plaintiff.

[2]. By referring to the aforesaid anomaly, learned counsel seeks to press the application under Order 7 Rule 11 CPC.

[3]. Plaintiff has preferred the suit in his individual capacity as proprietor of M/s Sandeep Agencies. Reliance of rent

agreement dated 11.05.2016 with defendant No.1 would give rise to a triable issue. If the pleadings of the plaint have created an illusion in respect of cause of action, the petitioner would be well advise to seek remedy in terms of Order 10 CPC and file an appropriate application in accordance with law.

[4]. Learned counsel seeks to avail the aforesaid provision in accordance with law.

[5]. Dismissed as withdrawn.

20.03.2019

Prince

**(RAJ MOHAN SINGH)
JUDGE**

**Whether reasoned/speaking
Whether reportable**

**Yes/No
Yes/No**