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

**Civil Revision No.7412 of 2019 (O&M)
Date of Decision: 21.11.2019**

DR. RAVI BHUSHAN KUMAR

.....Petitioner

Vs

DR. RAMESH HAWA SINGH TAXAK

....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present:Mr. Pankaj Bali, Advocate for
Mr. Varun Gupta, Advocate
for the petitioner.

RAJ MOHAN SINGH, J. (Oral)

[1]. Petitioner has challenged the order dated 10.09.2019 passed by the Civil Judge (Junior Divison) Chandigarh, vide which the application under Order 7 Rule 11 CPC filed by the defendant/petitioner for rejection of the plaint was dismissed.

[2]. It is a settled principle of law that at the stage of consideration of application under Order 7 Rule 11 CPC, only the averments made in the plaint are to be seen. Para No.22 of the plaint is suggestive of the fact that plaintiff was informed by one Dr. Dinesh Gupta from Panjab University, Chandigarh, that he received a parcel by registered post at Chandigarh containing extremely defamatory material written by the

defendant against the plaintiff.

[3]. In view of Section 19 CPC, where a suit is for compensation for wrong done to the person or to movable property, if the wrong was done within the local limits of the jurisdiction of one Court and the defendant resides, or carries on business or personally works for gain, within the local limits of the jurisdiction of another Court, the suit may be instituted at the option of the plaintiff in either of the said Courts. The plaintiff has also option at Chandigarh Courts and such a course cannot be said to be against the spirit of Section 19 CPC.

[4]. In view of above, the impugned order passed by the trial Court cannot be said to be illegal. There is no merit in this revision petition, the same is accordingly dismissed.

November 21, 2019

Atik

Whether speaking/reasoned

Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No

Yes/No