

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

CR-44-2019(O&M)

Date of decision: 11.02.2020

Satish Kumar

.....Petitioner

Versus

Santra Devi and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr.Ajay Jain, Advocate for the petitioner
Mr. Sarvjit Singh Khurana, Advocate for the respondents

ANIL KSHETARPAL, J. (ORAL)

Defendant has filed the present revision petition against order of learned Trial Court dismissing application under Order 7 Rule 11 CPC for rejection of the plaint. The Court has noticed that the plaintiff has filed the present suit claiming that a fraud has been played upon the Court while obtaining judgment and decree dated 21.12.2015. In such circumstances, learned Trial Court has correctly dismissed the application under Order 7 Rule 11 CPC on the ground that the maintainability of suit is to be examined with reference to the pleadings in the plaint at the stage by deciding application under Order 7 Rule 11 CPC.

Hence, dismissed.

11.02.2020

rekha

Whether speaking/reasoned

Whether Reportable

(ANIL KSHETARPAL)

JUDGE

Yes / No

Yes / No