

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

CR-1135-2020 (O&M)  
Date of decision : 17.02.2020

Amarjit Kaur

...Petitioner

Versus

Manjeet Singh and another

...Respondents

**CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL**

Present: Mr. Lupil Gupta, Advocate for the petitioner.

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**ANIL KSHETARPAL, J. (ORAL)**

The defendant-petitioner has filed the present revision petition challenging the correctness of order passed by the learned trial Court, dismissing the application filed under Section 11 of the Code of Civil Procedure.

Learned counsel for the petitioner failed to draw attention of the Court as to how an application under Section 11 of the Code of Civil Procedure is maintainable. Section 11 provide for principle of res judicata. Such plea is required to be pleaded and proved by leading evidence before a suit can be dismissed on the grounds that subsequent suit is barred by principle of res judicata. Further, learned Additional Civil Judge (Senior Division), Gidderbaha, has noticed that the conduct of the defendant is not above board. Hence, there is no ground to interfere.

Accordingly, the present revision petition is dismissed.

All the pending miscellaneous applications, if any, are disposed of, in view of the abovesaid judgment.

**17.02.2020**

*Pawan*

**(ANIL KSHETARPAL)  
JUDGE**

**Whether speaking/reasoned:- Yes/No**  
**Whether reportable:- Yes/No**