

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

CR-1507-2020 (O&M)
Date of decision : 02.03.2020

M/s Vishavkarma Engineering Works ...Petitioner

Versus

M/s Jai Durga Bakery ...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Ms. Ritam Aggarwal, Advocate for the petitioner.

ANIL KSHETARPAL, J. (ORAL)

Through an application filed under Order 7 Rule 11 of the Code of Civil Procedure, the maintainability of the suit has been questioned on the ground of lack of territorial jurisdiction with Civil Court at Faridabad.

Learned trial Court has correctly held that while deciding an application filed under Order 7 Rule 11 of the Code of Civil Procedure, only pleadings in the plaint are to be examined and, therefore, the plaint cannot be rejected on this ground only.

Learned counsel for the petitioner submitted that certain observations have been made by the Court with regard to the maintainability of the suit. On careful reading of the order passed, it is apparent that these observations are only prima facie observations and the learned trial Court would be free to decide about its maintainability uninfluenced by the observations made.

In view of the above, the present revision petition is disposed of.

02.03.2020

Pawan

**(ANIL KSHETARPAL)
JUDGE**

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