

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

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**CR-4273 of 2019 (O&M)
Date of decision: 17.11.2022**

Ashwani Malhotra

..Petitioner

Versus

**Haryana State Industrial and Infrastructure Development
Corporation and another**

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. G.S.Sawhney, Advocate
for the petitioner.

Mr. B.R.Mahajan, Sr. Advocate, with
Mr. Anil Chawla, Advocate
for respondent no.1.

Mr. Mukand Gupta, Advocate, for
Mr. D.K.Singal, Advocate
for respondent no.2.

ANIL KSHETARPAL, J(Oral)

The plaintiff (the petitioner herein) has filed a suit for declaration that he is the owner in possession of plot no.464 and 465, Phase-III Udyog Vihar, Gurugram in the District Courts at Panchkula.

The trial court has returned the plaint while observing that the plaintiff may present the same before the court of competent jurisdiction. Admittedly, the subject matter of suit (immovable property) is located within the territorial jurisdiction of Gurugram. On a combined reading of Section 17 and 20 of the Code of Civil Procedure, 1908, it is evident that Section 20 would come into operation only if the nature of the suit is not covered by Section 16, 17, 18 and 19 of the Code of Civil Procedure, 1908. Section 20 is in the nature of a residuary provision.

Hence no ground to interfere is made out.

Disposed of.

All the pending miscellaneous applications, if any, are also disposed of.

November 17, 2022

(ANIL KSHETARPAL)
JUDGE

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<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>