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

CR No. 3533 of 2021

Date of Decision: 06.01.2022

Bunty and another

-Petitioners

Versus

Pardeep Kumar

-Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Prashant Bansal, Advocate,
for the petitioners.

RAJ MOHAN SINGH, J. (Oral)

The case has been taken up for hearing through video conferencing.

Petitioners have preferred this revision petition against the order dated 13.08.2021 passed by Civil Judge (Junior Division), Rajpura vide which an application under Order 7 Rule 11 CPC for rejection of plaint has been dismissed.

The said application was filed primarily on the ground of cause of action and maintainability of suit.

It is a settled principle of law that at this stage of the suit, only averments made in the plaint are to be seen. Defence of the defendants is not to be appreciated at this stage.

The pleas raised by the defendants-petitioners are required to be proved by leading some evidence.

Admittedly, petitioners have also filed their written statement before the trial Court.

In my considered view, the opinion expressed by the Civil Judge (Junior Division), Rajpura is not to be interfered with. Petitioners would be at liberty to avail their legal remedies in accordance with law at an appropriate stage.

Dismissed.

06.01.2022

Jyoti Sharma

**(RAJ MOHAN SINGH)
JUDGE**

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