

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL REVISION APPLICATION NO. 73 OF 2023

Tanvish Trading Private Ltd __ Vs. __ Aditya Sunil Tiwari and anr

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. Sandeep Singh, Advocate for the petitioner.

CORAM : AVINASH G. GHAROTE, J.

DATE : 10/07/2023

1] Mr. Singh, learned counsel for the petitioner requests the conversion of the petition into a civil revision application.

2] Leave is granted.

3] The revision questions the rejection of the application under Order VII Rule 11(a) of the CPC on the ground of absence of cause of action, as no documentary evidence is filed about the alleged complaint or FIR lodged before the police authority.

4] A perusal of the plaint (para 5 page 32) indicates an averment that the cause of action has arisen on 25.1.2023 when the applicant herein through their agents and servants tried to take forcible possession of the parking area which was resisted and put continued with the possession, cause of action is

clearly spelt out in the plaint. I therefore do not see any reason to interfere in the impugned order. The revision is therefore dismissed. No costs.

JUDGE

Rvjalit