



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT NAGPUR, NAGPUR.

...

Civil Revision Application No. 110/2022

Smt. Pushpadevi wd/o Krushnagopal Singh and another ..Applicant/s
versus

Ajay Bhagatsingh Thakur ..Respondent/s

.....
Mr. S. Kotgirwar, Adv. For the applicant/s
.....

CORAM: ANIL L. PANSARE, J.

DATED : 23rd August, 2023.

PC:

Heard.

By means of present Application, the legality correctness and propriety of order dated 22.04.2022 passed by the learned Joint Civil Judge, Jr.Dn, Nagpur, is being tested.

The applicant is the defendant, whereas the respondent is the plaintiff before the trial Court. The defendant has filed an application under O 7 R.11 of the Civil Procedure Code, 1908 seeking rejection of plaint on the count that the cause of action has not been disclosed.

With the assistance of the learned counsel for the defendant I have gone through the plaint. The cause of action as put forth indicates that the same arose on 17th February 2020 as also 1st October, 2020 when the compromise deed had been executed between the plaintiff and the defendant. The plaintiff is challenging the compromise deed by seeking a declaration that the compromise deed is not binding on the plaintiff. The learned Civil Judge, by considering the contents of para no.6 which disclose the cause of action and I think rightly so, held

that the plaint does show the existence of cause of action.

No illegality whatsoever is found in the impugned order.
There is no substance in the Application. The same is rejected.

[ANIL L. PANSARE, J.]

sahare