

In the High Court of Punjab and Haryana, at Chandigarh**Civil Revision No. 3459 of 2017****Date of Decision: 28.11.2023**

Shobha

... Petitioner(s)

Versus

Surender Mohan Bahal and Another

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Rajeev Sharma, Advocate
for the petitioner(s).

Anil Kshetarpal, J.

1. The respondent's suit for the grant of decree of permanent injunction is pending before the trial Court. The caption of the plaint filed by the respondent No.1 reads as under:-

“Suit for Permanent Injunction restraining the defendants themselves and through their friends, agents close relatives and musclemen from interfering the peaceful life of the plaintiff, his wife namely Smt. Aruna Behal and further restraining the defendants from filing the false and frivolous applications and complaints in the police etc. against the plaintiff, his said wife, daughter namely Neha and son-in-laws namely Vikas and other relatives and calling them in the police stations/ police post at Yamuna Nagar/Jagadhri for the purpose of causing the harassment, intimidate and for making unnecessary pressure upon the plaintiff and his wife for doing compromise and

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agreement and further restraining the defendants from getting the signatures of the plaintiff and his wife by adopting corrosive method and through police illegally as per evidence.”

2. The plaintiff is father-in-law of the defendant No.2, whereas the defendant No.1 is brother of defendant No.2. The defendants filed an application under Order VII Rule 11 of the Code of Civil Procedure, 1908 (hereinafter referred to as “CPC”) to reject the plaint at the threshold. The trial Court dismissed the said application.

3. The learned counsel representing the petitioner contends that no suit restraining the defendants from filing the litigation is maintainable.

4. This court has considered the submissions of the learned counsel representing the petitioner. From the reading of the caption of the plaint, it is evident that the plaintiff, while filing the suit, has prayed for multiple reliefs, therefore, it would not be appropriate to reject the plaint in its entirety. There is no provision for rejecting the plaint in parts.

5. Keeping in view the aforesaid facts, no ground is made out to interfere with the impugned order. Hence, the present revision petition is dismissed.

(Anil Kshetarpal)
Judge

November 28, 2023

“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No