

129 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR-856-2022(O&M)
Date of decision :05.04.2024

Sanjay ...Petitioner

Vs.

Om Parkash and another ...Respondents

CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. V.P. Sangwan, Advocate
for the petitioner.

Mr. Alok Mittal, Advocate
for respondent No.1.

None for respondent No.2.

ANIL KSHETARPAL, J. (Oral)

1. The trial Court has refused to reject the plaint in exercise of powers under Order VII Rule 11 of the Code of Civil Procedure. The correctness of the aforesaid order has been challenged in this revision petition.
2. Learned counsel representing the petitioner contends that jurisdiction of the Civil Court is barred under Section 158 of the Punjab Land Revenue Act, 1887 as applicable to Haryana.
3. This Court has considered the submission.
4. In this case, the plaintiff while filing the suit has alleged that the Tribunal of limited jurisdiction did not follow the procedure laid down in the Act.
5. In these circumstances, it will not be proper to reject the plaint at the threshold. However, the petitioner shall have liberty to pray for framing

distinct issue on this objection, which shall be decided by the Court while finally deciding the suit uninfluenced by the observation made by this Court.

6. The revision petition is disposed of.

05.04.2024		(ANIL KSHETARPAL)
neeraj	Whether speaking/reasoned :	JUDGE
	Whether Reportable :	Yes No
		Yes No