

V/s.

Noorjahan Shahnawaz Fakhri and ... Respondents
Ors.

Mr. Shrikant Rathi, for the applicant.

Mr.Wasim Ansari, for the respondent no. 1.

CORAM : N.J. JAMADAR, J.

DATE : 1ST APRIL 2025.

PC:

1. Heard the learned counsel for the Applicant.
2. This Revision is directed against an order dated 13th February 2025, whereby the application for rejection of the plaint came to be rejected. The learned counsel for the applicant submitted that the plaint is liable to be rejected as the plaintiff has not furnished correct description of the property in respect of which reliefs have been claimed. Secondly, there is no cause of action.
3. I have perused the averments in the plaint.
4. The plaintiff is the mother of the defendant No. 1. The averments in the plaint indicate that the defendant No. 1 has allegedly misused

the power of attorney executed by the Plaintiff and Defendant Nos. 2 to 4 in favour of the defendant No. 1 and on the basis of the said Power of Attorney executed certain instruments. It is further averred that the defendant No. 1 has threatened to alienate the suit property and create third party rights in the property which are left behind by the husband of the plaintiff and father of defendant nos. 2 to 4. A meaningful reading of the plaint would indicate that disputes have arisen between the plaintiff and the defendant Nos. 2 to 4, on the one part, and defendant No.1, on the other part. Defendant No. 1 has allegedly been in the management of the property and the businesses of the family. There might be inarticulate drafting, including casualness in furnishing the particulars of the property. However, it would be preposterous to suggest that there is no cause of action.

5. The learned Judge, Civil Civil Court thus committed no error in rejecting the application for rejection of plaint. There is no substance in the revision application.

6. The Revision Application thus stands dismissed.

(N.J. JAMADAR, J)