



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No.4254 of 2017 (O&M)

Date of Order:29.01.2025

Raj Rani

.Petitioner

Versus

Dharam Singh and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Ajay Jain, Advocate, for the petitioner.
Mr. Gulshan Nandwani, Advocate, for respondent no.1.

ANIL KSHETARPAL, JUDGE (Oral)

1. The petitioner herein is defendant no.1 in the plaintiff's suit for partition of the joint property. An application under Order VII Rule 11 CPC was filed by the defendant to reject the plaint on the ground that the plaintiff has cleverly sought partition but failed to challenge the sale deeds. It was claimed that in order to save the payment of court fee, the plaintiff has cleverly drafted the plaint by not including the material facts relevant for the decision of the case.

2. The trial court dismissed the application on the ground that the contents of the plaint are to be seen. At this stage, it is not appropriate to reject the plaint while finally adjudicating the requirement of payment of *ad-valorem* court fee.

3. The learned counsel representing the petitioner again reiterates the aforesaid arguments.

4. The view taken by the trial court is reasonable and rational.

5. Hence, no ground to interfere is made out.

- 6. Dismissed.
- 7. All the pending miscellaneous applications, if any, are also disposed of.

(ANIL KSHETARPAL)
JUDGE

January 29, 2025
nt

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No