

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

121

2025:PHHC:044362



CR-5377-2023

Date of decision: 02.04.2025

HARINDER PAL

..Petitioner

Versus

M/S DAINIK SAVERA NEWS AND MEDIA NETWORK

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Chahit Bansal, Advocate
for the petitioner.

Mr. Harsh Kinra, Advocate
Mr. N.C. Kinra, Advocate
for respondent.

ANIL KSHETARPAL, J(Oral)

1. The petitioner herein is defendant in a pending plaintiff's suit for recovery of unpaid dues against the petitioner. An application filed by the petitioner to reject the plaint at the threshold has been dismissed by the trial Court, which is impugned in the present revision petition.
2. Learned counsel for the petitioner submits that the plaintiff has failed to disclose the cause of action.
3. Para 10 of the plaint reads as under:-

“10. That the cause of action arose to the plaintiff firm and against the defendant when the advertisements were published by the plaintiff firm in its news paper at the instance of the defendant but the defendant did not make the payment to the plaintiff firm. The cause of action arose when defendant made part payment. The cause of action arose when the plaintiff made requests and demand to the defendant to clear the outstanding amount, but he willfully failed and neglected to clear the outstanding amount. The cause of action arose on 02.04.2022, when the notice was served on the defendant. The cause of action arose when the defendant promised to pay the



outstanding amount but did not comply with his own words. The cause of action is continuing and continues to arise each day till the amount of the plaintiff firm is not paid by the defendant. Therefore, the suit is within time.”

- 4. It is evident that the plaintiff has made averments, which constitute the cause of action, which is the cumulative bundle of facts giving rise to reason for filing the suit.
- 5. Hence, no ground to interfere is made out.
- 6. Dismissed.

April 02nd, 2025
Ayub

(ANIL KSHETARPAL)
JUDGE

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