

2026:PHHC:075787



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

CR-4072-2026

Date of Decision: 14.05.2026

JAGDEEP SINGH

...Petitioner

Versus

BANK OF INDIA AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE PARMOD GOYAL

Present: Mr. Arihant Jain, Advocate
Mr. Varun Jain, Advocate
for the petitioner.

Mr. Gaurav Goel, Advocate
for respondent No.1/bank.

PARMOD GOYAL, J. (ORAL)

The present revision petition has been preferred under Article 227 of Constitution of India by petitioner/defendant No.1 being aggrieved by impugned order dated 11.02.2026, passed by learned Additional Civil Judge (Senior Division), Malerkotla, whereby petitioner's application under Order VII Rule 11 Civil Procedure Code, 1908 for rejection of plaint was dismissed.

2. The simple case of petitioner/defendant No.1 is that the loan was taken by petitioner/defendant No.1 as per plaint on 19.06.2013, whereas suit was filed on 05.12.2024 after 11 years, therefore, suit is barred by limitation. Learned Court of first instance, however, has held that question of limitation can only be determined at the time of trial and plaint cannot be rejected on this ground.

3. It is worth noticing that under Order VII Rule 11 CPC plaint can be rejected only on grounds as mentioned in Rule 11 and while finding out whether cause of action is made out or not, or whether the suit is barred specifically or impliedly by any law, only the pleadings made by respondents/plaintiffs can alone be seen.

4. Perusal of pleadings goes to show that respondent No.1/bank had duly asserted that loan was extended to petitioner/defendant No.1 for which defendant No.2 stood guarantor was against simple registered mortgage. Para No.20 of the plaint further goes to show that respondents/plaintiffs have relied upon acknowledgment of debt executed by petitioner/defendant No.1 on 20.01.2022 and claimed that this amounts to acknowledgment under Section 18 of Limitation Act. Therefore, on plain reading of plaint cause of action is duly stated and it does not appear that suit is barred by any law. The issue of limitation can only be determined after evidence is led by the parties, therefore, no ground for interference in the present case is made out.

5. Revision petition is accordingly dismissed. Parties shall be free to raise their claims and counter-claims in accordance with law.

6. Pending application(s), if any, is/are disposed of accordingly.

14.05.2026
chiranjeev

(PARMOD GOYAL)
JUDGE

Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No