

2022 LiveLaw (SC) 963

IN THE SUPREME COURT OF INDIA

M.R. SHAH; J., M.M. SUNDRESH; J.

Petition for Special Leave to Appeal (C) No. 19018/2022; 09-11-2022

GURDEV SINGH *versus* HARVINDER SINGH

Code of Civil Procedure, 1908; Order VII Rule 11 - Rejection of Plaint - The case on behalf of the petitioner is that the plaintiff is not entitled to any relief in the suit. The aforesaid cannot be a ground to reject the plaint at the threshold in exercise of powers under Order 7, Rule 11 CPC.

(Arising out of impugned final judgment and order dated 10-10-2022 in CRN No. 3324/2022 passed by the High Court of Punjab & Haryana at Chandigarh)

For Petitioner(s) Mr. Arun Kumar Goyat, Adv. Mr. Subhasish Bhowmick, AOR

ORDER

The application preferred by the petitioner to reject the plaint under Order 7 Rule 11 of the Code of Civil Procedure, 1908 (CPC) has been dismissed by the Trial Court which has been confirmed by the High Court. It is the case on behalf of the petitioner that the plaintiff is not entitled to any relief in the suit. The aforesaid cannot be a ground to reject the plaint at the threshold in exercise of powers under Order 7, Rule 11 of the CPC. The learned Trial court has rightly rejected the application under Order 7, Rule 11 of the CPC, which is rightly not interfered with by the High Court. We are in complete agreement with the view taken by the High Court. The Special Leave Petition stands dismissed.

Pending application(s), if any, shall stand disposed of.

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