2025:PHHC:049408

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

CR-2263-2025 (O&M)
Date of decision : 09.04.2025

Rajinder Kumar ..... Petitioner

Versus

Pardeep Kumar ..... Respondent

CORAM : HON'BLE MR.JUSTICE PANKAJ JAIN

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Present :- Mr. G.S.Verma, Advocate for the petitioner.

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PANKAJ JAIN, J. (ORAL)

1 Challenge is to order dated 07.08.2023 (Annexure P-4) passed by Civil Judge (Jr. Division), District Ludhiana whereby an application filed under Order VII Rule 11 CPC read with Section 151 CPC seeking rejection of the plaint filed by the petitioner stands dismissed.

2 Petitioner is facing recovery suit based upon a dishonoured cheque. Petitioner filed application under Order VII Rule 11 CPC read with Section 151 CPC claiming that the suit was barred by time. The petitioner claimed that the limitation be determined from the date of cheque i.e. 14.06.2018, however, it is not disputed that the cheque was dishonoured on 31.08.2018. It is on 31.08.2018 that the cause of action to file civil suit accrued in favour of the plaintiff as per Article 40 of the Schedule appended to Limitation Act, 1963.

3 In view thereof, this Court finds no ground to interfere in the order passed by the Trial Court dismissing the application filed under Order VII Rule 11 CPC read with Section 151 CPC.

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4 Revision petition stands dismissed.

(PANKAJ JAIN)
JUDGE

09.04.2025
Pooja Sharma-I

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

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