



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

(117)

CR-5795-2025 (O&M)

Date of Decision:-**27.08.2025**

RAJ KALAN AND ANOTHER

... Petitioners

Versus

ANU SINGH

... Respondent

CORAM: HON'BLE MR. JUSTICE VIRINDER AGGARWAL

Present:- Mr. Pankaj Bali, Advocate
for the petitioner.

VIRINDER AGGARWAL, J. (Oral)

1. The present petition, filed under Article 227 of the Constitution of India, challenges the order dated 13.05.2025 (Annexure P-5), wherein the learned Trial Court dismissed the petitioner's application under Order 7 Rule 11 of the Code of Civil Procedure, 1908 ('CPC' for short), read with Section 151 CPC, seeking rejection of the plaint."

2. The order is challenged on the grounds that the respondent/plaintiff has not approached the Court with clean hands and has suppressed material facts. The respondent/plaintiff has failed to disclose detailed facts concerning an earlier agreement to sell with Monika dated 03.01.2023, and the subsequent agreement with the plaintiff after Monika's inability to perform her obligations. It is further contended that the petitioner was abroad during period stipulated for performance, having duly informed the respondent/plaintiff of his absence. Upon his return, the petitioner



requested the respondent/plaintiff and Narinder Kumar to execute and register the sale deed, but was allegedly threatened with implication in false criminal cases. The respondent/plaintiff, therefore, lacks a valid cause of action and locus standi to maintain the present suit. Moreover, the agreement to sell is tainted by fraud, misrepresentation, and breach of trust.

3. I have heard the learned counsel for the petitioner and have gone through the record minutely.

4. A careful examination of the impugned order demonstrates that the learned Civil Judge has thoroughly considered the application alongside the respondent/plaintiff's reply and has rightly exercised judicial discretion in dismissing the said application. The grounds requisite for rejection of the plaint under Order 7 Rule 11 of the CPC are absent, and no illegality or procedural infirmity is discernible in the learned Civil Judge's order. In light of the foregoing, this petition lacks merit and is accordingly dismissed.

5. However, observations made herein above may not to be construed as opinion on the merits of the case. Same are purely confined to the present controversy and deliberations.

6. Since the main case has been decided, pending miscellaneous application(s), if any, stands also disposed of.

27.08.2025
Gaurav Sorot

(VIRINDER AGGARWAL)
JUDGE

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No