



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

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CR-6214-2025 (O&M)
Date of decision: 08.09.2025

Pravesh Tiwari and another

...Petitioners

V/s

Aruna

...Respondent

CORAM : HON'BLE MR. JUSTICE VIKRAM AGGARWAL

Present: Mr. Deepanshu Mehta, Advocate, for the petitioners.

VIKRAM AGGARWAL, J (ORAL)

The instant revision petition, preferred under Article 227 of the Constitution of India, assails order dated 22.04.2025 passed by the Court of Civil Judge (Jr. Divn.), Chandigarh, vide which the application preferred by the petitioners under Order 7 Rule 11 of the Code of Civil Procedure, 1908 (for short the "CPC") was dismissed.

2. The facts, as emanating from the revision petition, are that the respondent-plaintiff instituted a suit for rendition of accounts of M/s Wohltat Lifesciences (defendant No.3) along with bank account details of the aforesaid company, income tax returns, list of creditors and debtors, employees details, salary ledger, financial payables etc. and for recovery of consequential damages on account of harassment and delay suffered due to delay in providing the same.

3. During the pendency of the suit, an application under Order 7 Rule 11 CPC (Annexure P-2) was filed seeking rejection of plaint primarily on the ground that the plaint did not disclose any cause of action since as per the own case of the plaintiff, the firm stood dissolved in the year 2021. The application was opposed by way of reply (Annexure P-3).



4. By way of the impugned order, the said application was rejected leading to filing of the instant revision petition.

5. I have heard learned counsel for the petitioners.

6. Learned counsel for the petitioners has strenuously urged that the trial Court has erred in dismissing the application for rejection of plaint. He submits that it was the own case of the respondent-plaintiff that the partnership had been dissolved in the year 2021 and, therefore, no cause of action would arise to file the suit for rendition of accounts. He further submits that after the dissolution of the firm, the said business is now being run by the respondent-plaintiff and her husband from the premises i.e. First Floor of SCO No.308, Sector 38D, Chandigarh whereas, the applicant-defendants have started their own business from SCO NO.306, Sector 38D, Chandigarh. He submits that under the circumstances, it is clear that the suit has been filed only with a view to harass the applicant-defendants without there being any cause of action.

7. I have considered the submissions made by learned counsel for the petitioners but find the same to be devoid of merit.

8. It is settled that for the purpose of deciding an application under Order 7 Rule 11 CPC, only the contents of the plaint and the documents attached thereto are to be gone into. In the suit (Annexure P-1), the respondent-plaintiff claims a decree of rendition of accounts and consequential damages. In paragraph 8 of the plaint, it has been averred that ever since the issuance of notice of the dissolution of the firm, the respondent-plaintiff had been demanding bank account details, GST details, list of employees along with their salary details and other information from the defendants so as to settle their accounts but the defendants had been denying and delaying about the same.



9. From the plaint, it does not, on the face of it, emerge that there is no cause of action with the respondent-plaintiff. The rival claims can be decided only by way of evidence and the plaint cannot be rejected at the threshold for want of cause of action, especially when nothing is apparent from the plaint about there being no cause of action.

10. That being so, I do not find any merit in the instant revision petition and the same is accordingly dismissed.

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

(VIKRAM AGGARWAL)
JUDGE

September 08, 2025
vcgarg

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