

**111 IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH****CR-4162-2025****Date of Decision: July 18, 2025****Kuljeet Singh Shan****...Petitioner****Versus**

Tejinder Kaur Bindra and others

...Respondents**CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA****Present:-** Mr. Arjun Pratap Atma Ram, Advocate for the petitioner.**DEEPAK GUPTA, J.(Oral)**

Petitioner before this Court is defendant in Civil Suit bearing registration No.2225/2022, titled as "***Smt. Tejinder Kaur Bindra and others v. Kuljeet Singh Shan***", pending in the Court of learned Civil Judge (Jr. Divn.), Chandigarh. He is aggrieved by the order dated 14.01.2025 (Annexure P-10), whereby his application under Order 7 Rule 11 CPC to reject the plaint, was dismissed.

2. It is contended by learned counsel for the petitioner that the suit was filed by three plaintiffs, but plaintiff No.1 - Smt. Tejinder Kaur Bindra and plaintiff No.3 - Smt. Pushpinder Kaur, who are residents of USA, had neither signed the plaint nor the power of attorney in favour of Mr. S.K. Chhabra, Advocate is notarized by the Indian Embassy, USA or otherwise.

3. The trial Court has dismissed the application by observing that the cause pleaded in the application does not fall within the provision of Order 7 Rule 11 CPC.

4. Learned counsel for the petitioner contends that though the issue of locus standi of plaintiff Nos.1 and 3 was raised before the trial Court, but no specific issue regarding the same was framed, though the issue of maintainability has been framed.

5. When this Court asked learned counsel for the petitioner that objections regarding locus standi of plaintiff Nos.1 and 3 can be raised before the trial Court, learned counsel submits that the impugned order is likely to come in his way.

6. Having considering submissions of learned counsel for the petitioner, present petition is hereby disposed of with liberty to petitioner-defendant to raise issue of locus standi of plaintiff Nos.1 and 3 before the trial Court concerned, by raising all the pleas available to him, in accordance with law and nothing expressed in the impugned order dated 14.01.2025 passed by the trial Court, shall come in his way in this regard.

July 18, 2025

sarita

(DEEPAK GUPTA)

JUDGE

Whether reasoned/speaking:

Yes/No

Whether reportable:

Yes/No