

(2024) 03 SIK CK 0061
In the Sikkim High Court
Case No : Revision Petition No. 01 Of 2024

Dhan Kumari Pradhan

APPELLANT

Vs

Bigyan Pradhan & Ors.

RESPONDENT

Date of Decision : 20-03-2024

Acts Referred:

Code Of Civil Procedure, 1908 — Order 7 Rule 11(d), Order 7 Rule 17

Citation : (2024) 03 SIK CK 0061

Hon'ble Judges : Bhaskar Raj Pradhan, J

Bench : Single Bench

Advocate : S. S. Hamal, L. B. Gurung, Pradeep Sharma, Sushant Subba, Shakil Raj Karki

Judgement

Bhaskar Raj Pradhan, J

1. Respondent nos. 1 to 6 have been served and they are represented. Respondent no.7 although served is neither present nor represented.
2. The revisionist has moved this revision petition against an Order rejecting his application under Order VII Rule 11 (d) of the Code of Civil Procedure, 1908 (CPC) for rejection of the plaint.
3. Notice was issued on 05.03.2024 to the respondents, pursuant to the same all the respondents have been served. The learned Senior Counsel submits that the learned Trial Court has fixed 22.03.2024 as the date for filing of reply to the application under Order VI Rule 17 of the CPC for amendment of the plaint and for hearing of the same.
4. As this Court has decided to examine the correctness of the impugned Order passed by the learned Trial Court rejecting the revisionist's application for rejection of the plaint, the learned Trial Court is requested not to proceed with the hearing of the application under Order VI Rule 17 of the CPC till the next date.

5. List this matter on 18.04.2024.