
(2011) 10 RAJ CK 0038

In the Rajasthan High Court

Case No : Civil Revision Petition No. 258 of 2011

Smt. Asha Rani

APPELLANT

Vs

Firm Tota Singh Babu Singh and Another

RESPONDENT

Date of Decision : 12-10-2011

Acts Referred:

Civil Procedure Code, 1908 (CPC) — Order 12 Rule 6

Citation : (2011) 10 RAJ CK 0038

Hon'ble Judges : Vineet Kothari, J

Bench : Single Bench

Final Decision : Dismissed

Judgement

Vineet Kothari, J.

1. Heard learned Counsel for the petitioner.

2. The Petitioner-plaintiff is aggrieved by the impugned order dated 20.07.2011 passed by learned Additional District Judge No. 2, Sriganganagar in Civil Original Suit No. 113/2008 (161/2008) whereby the learned trial court has rejected the application filed by the Petitioner under Order 12 Rule 6 CPC for judgment on admission of the Defendant-respondents, on the ground that mere payment of Rs. 1,40,000/- by the Defendant- partnership firm, in the present suit was for rendition of the accounts could not be decided under Order 12 Rule 6 Code of Civil Procedure, as there was no clear admission of such liability on the part of the Defendants.

3. Having heard learned Counsel for the Petitioner, this Court is satisfied that reasons given in the impugned order are just and proper and same does not require interference by this Court in the revisional jurisdiction.

4. The present revision petition is found to be devoid of merit and same is accordingly dismissed. No costs. A copy of this order be sent to the opposite party and learned trial court forthwith.