

MHAU120003992020



**R.C.S. No. - 38/2020**  
**Seema Vs. Raghunath**

**ORDER BELOW EXH. 16.**

This is an application filed by the defendant No. 1 & 2 for rejection of plaint under Order 7 Rule 11(a) of Civil Procedure Code.

2. In short it is the contentions of the defendants that, plaintiff has filed this suit without any clear and unequivocal cause of action. The averments of the plaint does not disclosed the clear valid cause of action. Therefore, prayed for reject the plaint in view of Order 7 Rule 11(a) of Civil Procedure Code.

3. Plaintiff has filed on record her say below Exh. 17 and by mentioning Para No. 3 contended that, there is a valid cause of action for filed the suit and therefore prayed for reject the application with cost.

4. Learned counsel for the defendant submitted that, it is the contentions of the plaintiff that, defendants had given threats to the plaintiff. However, no documentary evidence filed on record in support of above mentioned contentions. Therefore, it can be conclude that, there is no cause of action to filling the suit. Therefore, prayed for reject the plaint.

5. Ld. counsel for the plaintiff present in the Court and submitted that, the application is given only to harass the plaintiff and therefore, prayed for reject the application.

6. I have gone through the plaint wherein plaintiff has contended that, she is the owner and possessor of the suit property which is mentioned in the plaint Para No. 1. It is pertinent to note that, she has filed on record 7/12 extract of suit property. Which shows that, she is the possessor of the suit property.

7. On perusal of this application it shows that, it is signed by only one defendant. Moreover, no affidavit filed on record in support of this application. It means there is no any documentary or oral evidence in support of this application. Therefore, I am of the view that, there is no any substance in the contentions of defendants. Therefore, it will proper and just to reject this application in the interest of justice. Hence, I pass following order:-

### **ORDER**

1. Application is rejected.

**Date :- 19/08/2020.**

**(S.S.Salwe)  
Civil Judge (Jr.Dn.),  
Soygaon.**

**CERTIFICATE**

I affirm that the contents of this PDF file Order are same word to word, as per the original Order.

Name of the Stenographer	: - K.P. Dusane.
Court	: - C.J.J.D. & J.M.F.C.,Soygaon.
Date	: - 19/08/2020.
Order Signed by the presiding officer on	: - 19/08/2020.
Order uploaded on	: - 20/08/2020.

