



2025:HHC:40682

***Himinder Lal & Anr. vs. Madan Lal & Ors.***

**LPA No.92 of 2024**

14.05.2024 Present: Mr. Neeraj Gupta, Sr. Advocate with Mr. Ajeet Jaswal, Advocate, for the appellants.

Having regard to Rule 11 Clause 1(i) of the High Court of Himachal Pradesh Case Law Management (High Court Rules), 2005, which provide appeals from *interlocutory* orders of Single Judge in original jurisdiction, we are prima facie of the opinion that the LPA filed by the appellant, challenging the order passed by the learned Single Judge on the original side, rejecting an application for rejection of plaint, may not be maintainable under Clause 10 of the Letters Patent, as applicable to the State of Himachal Pradesh, but an FAO(Original Side) would lie from the said order under Rule 11 Clause 1(i) quoted above.

Therefore, the LPA is converted into FAO(Original Side).

Amended grounds of appeal be filed, quoting this provision of law by the counsel for the appellant by the next date of hearing.

List on **23<sup>rd</sup> May, 2024.**

**(M.S. Ramachandra Rao)**  
**Chief Justice**

**(Jyotsna Rewal Dua)**  
**Judge**

**May 14, 2024**  
**(Yashwant)**