

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU**

Case:- CR No. 23/2025
CM No. 4240/2025

Gopal DassPetitioner(s)

Through: Mr. Rakesh Chargoitra, Advocate.

Vs

Sunny Kumar Respondent(s)

Through:

Coram: HON'BLE MR. JUSTICE RAHUL BHARTI, JUDGE

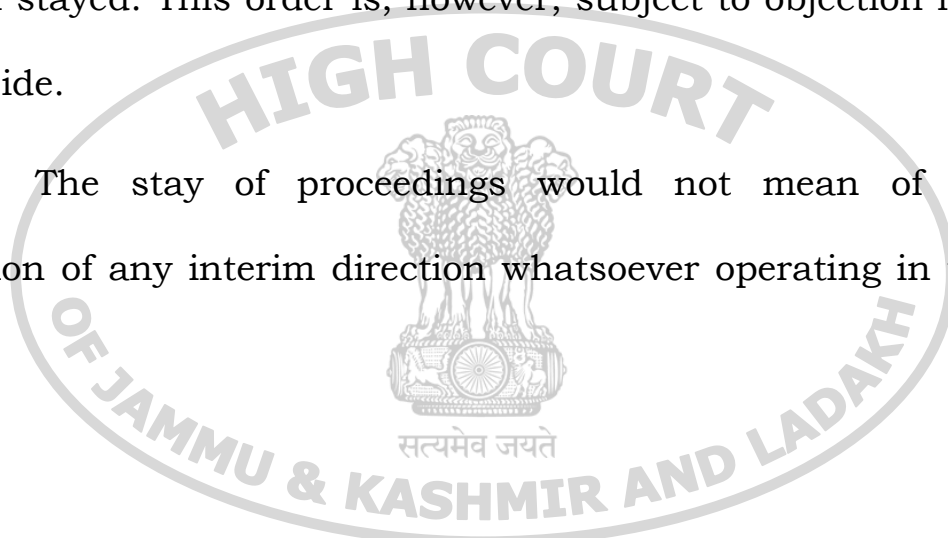
ORDER
(18.07.2025)

1. The petitioner who is a defendant in a civil suit filed by the respondent seeking permanent prohibitory injunction decree with respect to use and occupation of the suit shop which the respondent claims to be holding on account of being the tenant of the petitioner/defendant, the respondent, as defendant, while having filed written statement to the plaint also filed an application under Order 7 Rule 11 of the Code of Civil Procedure, 1908 seeking rejection of the plaint.

2. The court of learned Sub Judge (Special Railway Magistrate), Jammu, by virtue of an order dated 13.05.2025, has come to reject the said application of the petitioner which brings the petitioner in the present revision petition under section 115 of the Code of Civil Procedure, 1908.

3. Issue notice to the respondent.

4. Petitioner to furnish registered postal cover for the service of the respondent within seven days, whereupon the Registrar Judicial, Jammu to issue notice to the respondent.
5. List on 08.09.2025.
6. Send for the scanned record of file No. 73/SRMJ in the case titled "**Sunny Kumar Vs. Gopal Dass**" from the court of learned Sub-Judge (Special Railway Magistrate), Jammu.
7. In the meantime, further proceedings in the civil suit shall remain stayed. This order is, however, subject to objection from the other side.
8. The stay of proceedings would not mean of stay of operation of any interim direction whatsoever operating in the civil suit.



(RAHUL BHARTI)
JUDGE

JAMMU
18.07.2025
Shivalee