

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Revision Petition No. 182/2024

Bimal Kumar S/o Late Nathmal

----Petitioner

Versus

Pooranchand Poddar S/o Madanlal Poddar

----Respondent

For Petitioner(s) : Mr. Bipin Gupta

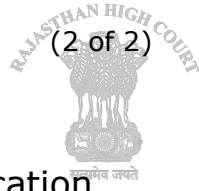
For Respondent(s) :

HON'BLE MR. JUSTICE ASHOK KUMAR JAIN

Order

10/01/2025

1. Instant revision petition is preferred by petitioner defendant aggrieved from dismissal of application under Order VII Rule 11 CPC on 02.05.2024 in civil suit no. 147/2012 by learned Civil Judge (Senior Division), Dantaramgarh, District Sikar.
2. Learned counsel for petitioner has referred the judgment in case of **K. Akbar Ali Vs. K. Umar Khan & Ors.** reported in **AIR 2021 SC 1114** and submitted that the instant suit was filed through a power of attorney and same is not executed validly. The trial court without considering the legal position has dismissed the application and kept pending the issue raised by the defendant. He further submits that despite opportunity the defect was not cured, therefore, the suit is liable to be dismissed.
3. Having considered aforesaid, issue notice to respondent nos. 1/1 and 2 to 6 on both the addresses i.e. Dhanbad and Sikar.
4. Additional set be issued through registered speed post.



[CR-182/2024]

5. Considered stay application.
6. The trial court is restrained from final order in the Civil Suit.

(ASHOK KUMAR JAIN),J

CHETNA BEHRANI /31