

| SL. No | Date | Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures | COURT'S OR JUDGES'S ORDERS |
|--------|------------|--|--|
| | 13.10.2022 | | <p>CLR No.83 of 2022</p> <p><u>Hon'ble Alok Kumar Verma, J.</u></p> <p>The present proposed Civil Revision has been filed under Section 115 of the Code of Civil Procedure, 1908 against the order dated 14.07.2022, passed by the learned 4th Additional Civil Judge (Senior Division), Dehradun, in Original Suit No.253 of 2019,"Manoj Sachdeva vs. Madhu Arora and Others", whereby, the issue no.6 has been decided against the proposed revisionist – defendant no.1.</p> <p>Heard Mr. Ramji Shrivastava, learned counsel for the proposed revisionist and Mr. M.K. Goyal, learned counsel for the respondents.</p> <p>The respondent no.1- plaintiff has filed the said original suit seeking a decree of the cancellation of sale deed dated 12.11.2018 and for perpetual prohibitory injunction.</p> <p>The issue no.6 was framed as under: -</p> <p>"Whether the suit is barred by the provisions of Order 7 Rule 11 CPC?"</p> <p>The learned counsel appearing for the proposed revisionist submitted that the respondent no.1 – plaintiff has filed the said suit stating therein that the plaintiff and the</p> |

defendant no.2 Smt. Ruchi Sachdeva had executed a registered power of attorney dated 28.08.2014 in favour of the respondent no.3-defendant no.3. The respondent no.3 had executed the impugned sale deed as attorney of the plaintiff and the respondent no.2 in favour of the proposed revisionist – defendant no.1. After execution of the said sale deed dated 12.11.2018, the plaintiff has revoked his attorney on 19.12.2018.

The learned counsel for the proposed revisionist submitted that in the said circumstances no relief can be granted to the respondent no.1 - plaintiff, therefore, there is no cause of action against the proposed revisionist to file the said original suit.

Admit.

Issue notice to the respondent nos.1 to 4.

Steps to be taken within a week.

List this case on 23.11.2022.

The further proceedings of the said Original Suit No.253 of 2019, "Manoj Sachdeva vs. Madhu Arora and Others" are stayed till the next date of listing.

(Alok Kumar Verma, J.)
13.10.2022

Pant/