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**IN THE HIGH COURT OF MADHYA PRADESH  
AT JABALPUR  
BEFORE  
HON'BLE SHRI JUSTICE DWARKA DHISH BANSAL  
ON THE 24<sup>th</sup> OF JANUARY, 2023  
CIVIL REVISION No. 678 of 2022**

**BETWEEN:-**

1. **CHOUDHARY MAHENDRA SINGH S/O LATE CHOUDHARY RAJENDRA SINGH, AGED ABOUT 60 YEARS, OCCUPATION: AGRICULTURIST BAKHAR PATEL WARD KANDELI NARSINGHPUR M.P. (MADHYA PRADESH)**
2. **CHOUDHARY LAXMAN SINGH S/O LATE CHOUDHARY RAJENDRA SINGH, AGED ABOUT 62 YEARS, OCCUPATION: AGRICULTURIST R/O BAKHAR PATEL WARD KANDELI NARSINGHPUR (MADHYA PRADESH)**
3. **RAM PATEL S/O LATE CHOUDHARY BHUPENDRA SINGH, AGED ABOUT 45 YEARS, OCCUPATION: ADVOCATE R/O BAKHAR PATEL WARD KANDELI NARSINGHPUR (MADHYA PRADESH)**
4. **SMT. MADHURI PATEL W/O LATE CHOUDHARY BHUPENDRA SINGH, AGED ABOUT 69 YEARS, OCCUPATION: HOUSE WIFE R/O BAKHAR PATEL WARD KANDELI NARSINGHPUR (MADHYA PRADESH)**
5. **SMT. YUKTI GAUR W/O SHRI ANUGRAH GAUR D/O LATE CHOUDHARY BHUPENDRA SINGH, AGED ABOUT 49 YEARS, OCCUPATION: HOUSE WIFE R/O RAMNAGAR COLONY RASULIYA HOSHANGABAD (MADHYA PRADESH)**
6. **SMT. MUKTI PATEL W/O SHRI PUSHPARAJ PATEL D/O LATE CHOUDHARY BHUPENDRA SINGH, AGED ABOUT 47 YEARS, OCCUPATION: HOUSE WIFE R/O WARD NO. 1 GAYATRI NIWAS SATNA (MADHYA PRADESH)**

**.....APPLICANTS**

**(NONE)**

**AND**

1. **GANESH CHAMAR S/O FAGULAL CHAMAR, AGED ABOUT 69 YEARS, OLD KAMATH WARD NEW BHAGAT SINGH WARD, SANKAL ROAD KANDELI NARSINGHPUR (MADHYA PRADESH)**
2. **CHO. RAGHAV SINGH S/O LATE AJMER SINGH, AGED ABOUT 75 YEARS, R/O GHATPINDARAI TEHSIL AND DISTRICT NARSINGHPUR (MADHYA PRADESH)**
3. **TAHSILDAR NARSINGHPUR TAHSIL OFFICE NARSINGHPUR (MADHYA PRADESH)**
4. **STATE OF M.P. THROUGH COLLECTOR NARSINGHPUR (MADHYA PRADESH)**

**.....RESPONDENTS****(BY MISS KAMLESH TAMRAKAR - PANEL LAWYER FOR STATE )**

*This revision coming on for admission this day, the court passed the following:*

**ORDER**

None for the applicants.

2. This civil revision has been preferred by the applicants/defendants challenging the order dated 22.8.2022 passed by 5th Civil Judge, Junior Division, Narsinghpur in civil suit no.19-A/22 whereby, application under Order 7 rule 11 CPC has been dismissed.

3. The suit in question has been filed by respondent 1 for declaration of title and permanent injunction claiming himself to be in possession of house for last 38-39 years. It is well settled that while deciding the application under Order 7 rule 11 CPC, the Court is required to consider only the plaint allegations and the defence raised by the defendants cannot be considered. Further, apparently on the grounds taken in the application under Order 7 Rule 11 CPC the plaint is not liable to be rejected.

4. Accordingly, learned Court below has not committed any illegality in passing the impugned order.

5. Resultantly, this civil revision is **dismissed**.

6. Interim application(s), if any, shall stand dismissed.

**(DWARKA DHISH BANSAL)**  
**JUDGE**

pb

