

**IN THE COURT OF MR. _____, CIVIL JUDGE,
LAHORE.**

In re:

VERSUS

(SUIT FOR DECLARATION AND PERMANENT INJUNCTION)

**REPLY TO THE APPLICATION DATED 00.00.0000 UNDER ORDER 7
RULE 11-CPC ON BEHALF OF THE PLAINTIFF.**

Respectfully Sheweth:

Preliminary Objections:

1. That the present suit does not fall within the ambit of Clauses as mentioned in Order 7 Rule 11 CPC. Admittedly while rejecting the plaint only the contents of plaintiff, that too considering to be true can be looked into.
2. That the petition is also not maintainable because the issue of limitation is involved in the matter such as issue is a mixed question of law and fact, which is always attended to after recording the evidence of the parties. Apart from this the suit is not barred by limitation as the delay in filing the suit has been explained in the plaint.

3. That the present application is false, frivolous and vexatious which is liable to be dismissed.

ON MERITS

1. Para No. 1 of the petition is wrong and incorrect, hence specifically denied. The facts narrated in the petition are also incorrect. The answering plaintiff / respondent has also narrated in the plaint the cause of action; therefore, the plaint cannot be rejected on this ground alone.
2. Para No. 2 of the petition is wrong and incorrect which is specifically denied. As stated above the question of limitation is mixed question of law and facts, therefore, it cannot be resolved without recording the evidence of the parties.
3. Para No. 3 needs no reply, legal and the citation does not apply in the present case.
4. Para No. 4 needs no reply, legal and the citation does not apply in the present case.
5. Para No. 5 of the petition is admitted to this extent that while rejecting the plaint this Honourable Court has to see the averments of the plaint and not any other thing or the documents placed before this Honourable Court. The

present suit is maintainable and cause of action has also been mentioned and the delay if any in the suit has been well explained.

6. Para No. 6 of the petition is wrong and incorrect and specifically denied this is mere reptation and a reply of this para has already been given above.
7. Para No. 7 of the petition needs no reply as the citation mentioned needs no comments.
8. Para No. 8 of the petition is not correct. The petitioner is pleading the case of others who have been proceeded ex-parte, therefore, the petitioner is estopped from her own conduct. The application is false, frivolous which should have been dismissed with special costs.
9. Para No. 9 of the petition is wrong and incorrect, hence specifically denied.
10. Para No. 10 of the petition is wrong and incorrect. Advelrom court fee has been affixed on the plaint.

Under the circumstances, it is, therefore, most respectfully prayed that the present petition Under Order 7 Rule 11 CPC of defendant No. 10 may very kindly be dismissed with costs.

Plaintiff

Through

Advocate High Court
_____, *Lahore.*

Dated: 00.00.0000