

[CPC](#) O. 2 R. 2, Applies only to the suits instituted by the plaintiff – Does not bar any defendant to file a subsequent suit even if he has not filed a counter claim

O. 7 R. 11 – Court is just required to restrict its enquiry to the averments made in the plaint of the suit and any reference to the earlier plaint cannot be delved upon while adjudicating upon an application under Order 7 Rule 11 of the Code.

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