



[CPC O. 7 R.11](#) – Appellant – original plaintiff approached the Revenue Authority/Tehsildar he was nonsuited on the ground that Revenue Authority/Tehsildar had no jurisdiction to decide the dispute with respect to title to the suit property – Thereafter when the suit was filed and the respondents – defendants took a contrary stand that even the civil suit would be barred – In that case the original plaintiff would be remediless – In any case the respondents – original defendants cannot be permitted to approbate and reprobate and to take just a contrary stand than taken before the Revenue Authority – Therefore, in the facts and circumstances of the case, the learned trial Court rightly rejected the application under Order 7 Rule 11 CPC and rightly refused to reject the plaint.

[\(2022-2\)206 PLR 189 \(SC\), 2022 PLRonline 9061](#)

[PREMLATA @ SUNITA v. NASEEB BEE , \(2022-2\)206 PLR 189 \(SC\), 2022 PLRonline 9061](#)