

Civil Procedure Code, 1908 (V of 1908) Order 7, Rule 11 – Rejection of Complaint – From bare perusal of the complaint, it cannot be said that the suit is barred by the law of limitation because cause of action did not arise on the date the cheque was issued – Petitioner is correct in contending that while examining an application under Order 7 Rule 11 [CPC](#) only the contents of the complaint have to be seen – So examined, the complaint does not reveal that cause of action arose in the year 2014 and thus, the trial Court was justified in rejecting the application on the ground that limitation is a mixed question of law and fact – The defendant-petitioner can lead evidence and get the suit dismissed on the ground of limitation.

**[\(2021\)204 PLR 641 \(P&H\)](#)**