



USHA VATS
& ASSOCIATES

DETAILED SUMMERY


ORDER 7 RULE 11
CPC – REJECTION
OF PLAINT

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Text of Provision (Summary)

The court *shall* reject a plaint in the following situations:


1. No Cause of Action

- If the plaint **does not disclose a cause of action.**
 - *Cause of action* = Bundle of facts giving right to sue.
 -  *Example*: A plaint merely alleging "Defendant is a bad person" without showing how plaintiff's legal right is violated.
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2. Relief undervalued

- If relief is undervalued and plaintiff fails to correct valuation within time given by court.
-  *Example*: In a property suit worth ₹50 lakhs, plaintiff values it at ₹1 lakh to pay less court fee.


3. Insufficient Court Fee

- If plaint is filed with **insufficient stamp/court fee** and plaintiff fails to supply deficit within time allowed.
-  *Example*: Suit for recovery of ₹10 lakhs filed with stamp fee for only ₹1 lakh.


4. Suit barred by law

- If the suit appears from the statement in the plaint to be **barred by law**.
-  *Example*: Filing a suit for recovery of debt that is time-barred under the **Limitation Act**.

5. Duplicate Suit

- Where plaint is filed in duplicate and rule not complied with.
 -  *Example*: If party fails to submit required duplicate copy of plaint for defendant.
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6. Non-compliance with statutory provisions

- Such as when statutory notice under Section 80 CPC (against Govt.) not given.
 -  *Example*: Filing a suit against the State without 2-month prior notice under S.80 CPC.
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KEY PRINCIPLES FROM CASE LAW

1. Plaint Averments Only Considered

- Court examines only **contents of plaint**, not written statement.
- (*Saleem Bhai v. State of Maharashtra*, 2003).

2. Mandatory Provision

- Court *must* reject plaint if conditions are met.
- It's **not discretionary**.

3. Partial Rejection Allowed

- Only offending portion of plaint may be rejected.
- (*Roop Lal Sathi v. Nachhattar Singh*, 1982).

4. Summary Power

- Used to **filter out frivolous, vexatious or barred suits** at threshold.

ILLUSTRATIVE EXAMPLES

- **No cause of action:**

A files suit stating "B insulted me" but without

alleging defamation or legal injury.

→ Rejected.

- **Barred by Limitation:**

Filing a suit in 2023 for recovery of loan due in 2000.

→ Rejected as time-barred.

- **Undervaluation:**

Property worth ₹1 crore valued at ₹10,000 for court fee.

→ Court orders correction → if not complied →
plaint rejected.

- **Against Govt. without Notice:**

Suit against Railway filed without serving notice under **S.80 CPC**.

→ Rejected.

FORMAT OF APPLICATION UNDER ORDER 7 RULE 11 CPC

IN THE COURT OF _____

Civil Suit No. _____ of 20__

Plaintiff: _____

Defendant: _____

APPLICATION UNDER ORDER 7 RULE 11 CPC
FOR REJECTION OF PLAINT

Respectfully Showeth:

1. That the plaintiff has filed the present suit against the defendant.

2. That the plaint is liable to be rejected under Order 7 Rule 11 CPC on the following grounds:

a) The plaint does not disclose any cause of action.

b) The suit is barred by limitation under the Limitation Act, 1963.

c) The suit is undervalued and the plaintiff has failed to correct the valuation despite court directions.

d) The plaint has been filed with insufficient court fee.

e) The suit is barred by law as per the provisions of _____.

3. That in view of the above, the plaint deserves to be rejected at the threshold.

PRAYER:

It is therefore prayed that this Hon'ble Court may kindly be pleased to reject the plaint under Order 7 Rule 11 CPC, in the interest of justice.

Place: _____

Date: _____

Defendant/Advocate
(Signature)

In Short:

Order 7 Rule 11 CPC is a **legal filter** → allows courts to reject bogus, defective, undervalued or time-barred plaints **at the very beginning**, saving judicial time.