

# RAJASTHAN HIGH COURT

Gopal Jat

Vs.

Gheesa Lal

Civil Revn. Petn. No. 676 of 2000

(Dr. B.S. Chauhan, J.)

16.09.2002

## ORDER

**Dr. B.S. Chauhan, J.**

This revision has been filed against the order dated 31-7-2000, by which the learned trial Court refused to hear the matter at *Shahpura* Camp and directed that the hearing of the case shall be at *Gulabpura*.

2. The facts and circumstances giving rise to this case are that a suit had been filed in *Gulabpura* in respect of the property which is situated at *Shahpura* and defendant-petitioner also resides at *Shahpura*. He filed an application during the trial that the case may be heard at *Shahpura* whenever the learned trial Court holds camp therein. The said application has been rejected only on the ground that the matter was within the territorial jurisdiction of *Gulabpura* and as the plaintiff/non-petitioner also resides at *Gulabpura*. Hence this revision.

3. The application has been rejected mainly on the ground that the plaintiff was residing at *Gulabpura*. Section 20 of the Civil Procedure Code provides for filing a suit at the place where the defendant resides and where the property is situate. The territorial jurisdiction of the trial Court is not in dispute. Its jurisdiction extends to *Shahpura* also. As the suit property is situate at *Shahpura* and the defendant resides therein, it is desirable that the learned trial Court should hear the matter further at *Shahpura*.

4. With these observations, the revision stands disposed of.  
Order accordingly.

