

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT
CHANDIGARH

C.R. No.1622 of 2015

Date of Decision.16.03.2015

Smt.Sarita

.....Petitioner

Versus

Uday Kumar and others

.....Respondents

Present: None for the petitioner.

CORAM:HON'BLE MR. JUSTICE K. KANNAN

1. Whether Reporters of local papers may be allowed to see the judgment ?
2. To be referred to the Reporters or not ?
3. Whether the judgment should be reported in the Digest?

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K. KANNAN J. (ORAL)

1. In a case where the plaintiff sues for cancellation of sale deeds on the ground that the sale deeds are not binding and that they are void, the person who was the defendant in the suit moved an application under Order 7 Rule 11 CPC for rejection of the plaint. Her contention was that the plaintiff was required to pay ad valorem court fee on the stated consideration in the two sale deeds which the petitioners were assailing.

2. The Court below reasoned that a non-executant is not required to pay ad valorem court fee unless he was also seeking for possession of property but the Court found that the plaintiffs had merely sought for declaration that the sale deeds are void and for cancellation and therefore, there was no requirement for them to pay ad valorem court fee. The point is squarely covered through the decision of the

Supreme Court in *Suhrid Singh @ Sardool Singh Vs. Randhir Singh and others 2010(12) SCC 112* and there is no error in the order passed by the Court below.

3. The revision petition is dismissed.

(K. KANNAN)
JUDGE

March 16, 2015
Pankaj*