

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

Civil Revision No.1430 of 2014

Date of decision: 06.04.2015

Sitab Singh

... Petitioner

versus

Rajpal and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. Rakesh Gupta, Advocate,
for the petitioner.

Mr. Narender Kumar, Advocate,
for respondents 1 to 6 and 8.

Mr. Amit Kashyap, Advocate,
for Mr. Rajinder Goyal, Advocate,
for respondents 9 to 26.

K.Kannan, J. (*Oral*)

The revision would require to be dismissed only on a short ground that the market valuation for a property was ordered to be collected on the nature of property as it is existed at the time of suit while the plaintiff wanted to sustain the valuation on the date when the property was sold which, according to him, was wrongful and at the time of sale, the property was agricultural in character. The nature of property assumes significance, for, if it was agricultural land, the Court Fee Act provide for a concession to be provided taking the value on the basis of the land revenue and

according to the plaintiff in the year 1965, it was assessed to cess although now the property is recorded as *gair mumkin* and that it has ceased to be agricultural. The date of institution of the suit will be the relevant date for treating the character of property and for the manner of how the assessment of court fee could be done. I find no error in the order passed by the court below. The revision petition is dismissed.

(K.KANNAN)
JUDGE

06.04.2015
sanjeev