

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

Civil Revision No.1503 of 2014
Date of Decision: August 10, 2015

Bikkar Singh @ Bagga & another

...Petitioners

Versus

Mehar Kaur & others

...Respondents

CORAM: HON'BLE MR.JUSTICE AMIT RAWAL, JUDGE

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?

Present: Mr.Kunal Dawar, Advocate,
for the petitioners.

Mr.Binderjit Singh, Advocate,
for respondent Nos.1,5,6,8,10 to 12.

AMIT RAWAL, J. (Oral)

The challenge in the present revision petition is to the order dated 12.2.2014 passed by the Civil Judge (Junior Division), Ropar, whereby the petitioners, who are, admittedly, not party to the sale deeds dated 25.5.1990, 19.7.2006 and 19.7.2007, have been called upon to pay the ad valorem court fees on the sale deeds.

It is a matter of record that the suit for declaration has been filed by the petitioner-plaintiffs to the effect that they are owners in possession of land measuring 17K- 8-½ M share out of 69K-2M by challenging the aforementioned sale deeds. Admittedly, they are not party to the sale deeds. The impugned order calling upon the petitioners to pay the

ad valorem court fee is not sustainable in the eyes of law in view of the law laid down by the Hon'ble Supreme Court in **Suhrid Singh @ Sardool Singh Versus Randhir Singh & Ors., AIR 2010 (SC) 2807.**

As per the settled proposition of law, the petitioners, who are not party to the sale deed, as per the provisions of Section 7(iv)(c) of the Court Fees Act, 1870 are not required to pay the court fee.

In view of what has been observed above, the impugned order dated 12.2.2014 is set-aside and the revision petition is allowed.

August 10, 2015
ramesh

(AMIT RAWAL)
JUDGE