

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Civil Revision No.2859 of 2013

Date of decision: 20.08.2015

Bimal Kumar

.....Petitioner

versus

Gian Chand

.....Respondent

CORAM: Hon'ble Mr.Justice Kuldip Singh

Present: Mr.Arjun Veer Sharma, Advocate for
Mr.Naveen Sharma, Advocate for the petitioner
Mr.Vinod Khunger, Advocate for the respondent

1. *Whether Reporters of Local Newspapers 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?*

Kuldip Singh, J. (Oral)

Impugned in the present revision is the order dated 18.4.2013, passed by the learned Civil Judge, Junior Division, Ludhiana, vide which, in an application under Section 149 CPC, the plaintiff was permitted to make good the deficiency of the Court Fee.

Suffice to say that defendant/ petitioner had moved an application under Order 7 Rule 11 CPC for rejection of the plaint inter-alia, on the ground that insufficient Court fee has been paid. The matter was decided against the plaintiff. Now the plaintiff wants to pay the Court fee for which permission has been granted.

I am of the view that when Court finds that insufficient Court fee has been paid and that the plaintiff is to be given time to pay the Court fee and if he wants to pay the Court fee his request

cannot be declined.

There is no illegality or infirmity in the impugned order.

Accordingly, the revision is dismissed.

20.08.2015

gk

**(Kuldip Singh)
Judge**