

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR No.2736 of 2014
Date of decision: 17.12.2015

Harish Kumar Rao

... Petitioner

Versus

Ruma Devi and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Mani Ram Verma, Advocate for the petitioner.
Mr. Parmod Parmar, Advocate
for respondents No.1 & 2.

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?

ARUN PALLI J. (Oral)

Vide order being assailed, dated 28.03.2014, rendered by Civil Judge (Jr. Divn.), Dadri, petitioner-plaintiff had since been directed to pay ad valorem court fee.

Vide order dated 21.04.2014, while issuing notice of motion, this court observed that "*Suit to proceed without insisting of payment of ad valorem Court fee, which issue will remain, subject matter of this petition and to await the final outcome.*"

Learned counsel for the parties submit that the suit is now at the stage of recording of defendants' evidence and as a specific issue as regards affixation of appropriate court fee

by the plaintiff is already framed, let the revision petition be disposed of with a direction to the trial court to determine the said issue, in the wake of the evidence on record, and, in the interregnum, the interim order passed by this court shall operate.

That being so, the revision petition is disposed of with an observation that as issue No.8 as regards the affixation of appropriate court fee by the plaintiff, has already been framed, the trial court shall determine the same, strictly in accordance with law, notwithstanding the order dated 21.04.2014. And, till then, the interim order dated 21.04.2015, passed by this court, shall continue to operate.

Needless to assert, this order shall not constitute any expression of opinion on merits of the claim of either party.

December 17, 2015
Rajan

(Arun Palli)
Judge