

In the High Court of Punjab and Haryana at Chandigarh

**Civil Revision No. 3248 of 2014
Date of Decision: 10.3.2015.**

Madhumeet Kaur

.....Petitioner

Versus

Saurabh Tapuriah

.....Respondent

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. N.D.Achint, Advocate
for the petitioner.

None for the respondent.

SABINA, J.

Petitioner has filed this petition under Article 227 of Constitution of India challenging the order dated 25.1.2014 whereby she was directed to pay *ad valorem* Court fee on an application moved by the defendant under Order 7 Rule 11 of the Code of Civil Procedure, 1908.

Learned counsel for the petitioner has submitted that petitioner is ready to give up the claim qua cancellation of the agreement to sell dated 21.7.2012. In fact, petitioner only wants a decree for recovery of ₹ 50,51,000/-. So far as the amount of ₹ 50,51,000/- is concerned, petitioner has already affixed the necessary Court fee. Since the petitioner does not want to press for the relief qua cancellation of agreement to sell dated 21.7.2012, she was not liable to affix Court fee in this regard.

Learned counsel for the petitioner has submitted that he

may be permitted to withdraw the petition to enable the petitioner to move an appropriate application before the Trial Court to enable her to give up the claim qua cancellation of agreement to sell dated 21.7.2012.

Dismissed as withdrawn with liberty to the petitioner to move an appropriate application before the Trial Court as submitted by the counsel for the petitioner.

**(SABINA)
JUDGE**

March 10, 2015
Gurpreet