

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No. 3538 of 2015 (O/M)
Date of decision : 18.9.2015

Mohammad Jahir

..... Revisionist

Versus

Sahabdin

..... Respondent

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. S.K. Bawa, Advocate, for the revisionist.

Mr. Rajesh Bhateja, Advocate, for respondent.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter 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 23.4.2015, passed by the learned Civil Judge (Junior Division), Mewat at Nuh, vide which the plaint was rejected under Order 7 Rule 11 of Code of Civil Procedure, 1908 (in short 'CPC') for non-depositing of the court fee.

It comes out that the suit was instituted before the lower Court on 9.10.2014 without affixing the court fee. Thereafter, several adjournments were obtained and ultimately, on 23.4.2015

CR No. 3538 of 2015 (O/M)

impugned order was passed, as none had appeared on behalf of the plaintiff/revisionist nor court fee was affixed. Therefore, the plaint was rejected.

Learned counsel for the revisionist has shown the stamp papers to this Court saying that stamp papers are already lying purchased and they are ready to deposit the court fee.

In view of the matter, the revisionist is now given ten days' time to submit the court fee before the lower Court. On this condition, the impugned order is set aside. However, for delaying the affixing of the court fee, the revisionist is also burdened with costs of Rs. 2,000/-, to be deposited with the District Legal Aid Fund, Mewat at Nuh.

The present revision is accordingly allowed.

(KULDIP SINGH)
JUDGE

18.9.2015
sjks