

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

**CR No.3810 of 2014(O&M)
DATE OF DECISION:21.12.2015**

Rajpal & another

...Petitioners

Vs.

Anoop Singh & others

...Respondents

CORAM:- HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. Saurabh Dalal, Advocate
for the petitioners.

Mr. Chander Shekhar Singhal, Advocate
for respondent Nos. 1 to 3.

Mr. Sandeep Parkash Chahar, Advocate
for respondent No.6.

KULDIP SINGH, J.(ORAL)

Learned counsel for the appellant states that he was wrongly ordered to pay the Court fee by the lower Court vide impugned order dated 19.05.2014 passed by Civil Judge(Junior Division), Jhajjar. He also states that in pursuance to the order, he had to pay Court fee in the absence of any stay order. The prayer is that the lower Court may be directed to frame the issues on the point and determine the same in accordance with law and if the Court fee

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was not payable, same may be ordered to be refunded.

It being so, the present revision is disposed of with a direction to the lower Court to frame the issue on the point of ad valorem Court fee and decide the same on merits. If it is found that the plaintiff was not required to pay the ad valorem, the lower Court shall order the refund of the Court fee paid by the plaintiff in pursuance to the impugned order.

December 21, 2015
rimpal

(KULDIP SINGH)
JUDGE