

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT
CHANDIGARH

C.R. No.4778 of 2014 (O&M)

Date of Decision.05.08.2015

Amrit Lal and another

.....Petitioners

Versus

Canara Bank

.....Respondent

Present: Mr. Kuldip Singh, Advocate
for the petitioners.

CORAM:HON'BLE MR. JUSTICE K. KANNAN

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?

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K. KANNAN J. (ORAL)

1. The revision petition is untenable for a person who borrows a loan on security of property would say that he will not pay court fee because the property is subject matter of suit. The counsel for the petitioner relies on judgment of Kerala High Court in Johnson Vs. Ouseph AIR 2007 Kerala 175 and yet another decision of Madras High Court in A. Rengaswami Vs. M/s Thirukumaran Spiiners and others 2003(4) RCR (Civil) 312 to support his claim. The subject matter which is disputed and which a person has to litigate for claiming recoveries will be completely a different matter from a case where the petitioner is admittedly owner of the property on the basis of which he has obtained some loan from the bank. He has no business to plead indigency and exempt himself from paying court fee.

2. The order passed by the Court below was justified. I allow for payment of court fee within a period of four weeks from the date of

receipt of copy of this order. If the court fee is not paid, the order already passed shall stand confirmed. The revision petition is dismissed but with the above observations.

(K. KANNAN)
JUDGE

August 05, 2015
Pankaj*