

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CR No.6120 of 2015 (O&M)
Date of decision: 17.09.2015**

Rohtash and another

... Petitioners

Vs.

Smt. Rajo Devi

... Respondent

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

1. Whether reporters of local newspapers may be allowed to see judgment?
2. To be referred to reporters or not?
3. Whether the judgment should be reported in the Digest?

Present:- Mr. Robin Singh Hooda, Advocate
for the petitioners.

AMIT RAWAL J. (Oral)

Learned counsel for the petitioners, on instructions from his clients submits that though there had been considerably delay in paying the ad valorem Court fee, now the petitioner has arranged a sum of ₹45,000/-, towards payment of ad valorem Court fees, in case, as per the provisions of Section 148 of the CPC, one opportunity is granted, subject to certain terms and conditions, ad valorem Court fee would be paid.

I have heard learned counsel for the petitioners and appraised the paper book.

It is a matter of record that on perusal of the paper book, it reveals that on 30.06.2011, the trial Court directed the petitioner-

plaintiffs to pay the ad valorem Court fee and the said order was assailed by filing an appeal and the appeal was also dismissed vide order dated 04.03.2013. Thereafter, two months' time was granted to the petitioners to pay the ad valorem Court fee. However, the petitioners did not avail the opportunity and moved an application after a period of two months and the same has been dismissed, vide impugned order dated 25.09.2013 (Annexure P-4), though there is no explanation in approaching the Court after a period of two years' against the impugned order.

In order to advance the justice and prevent the miscarriage of justice, I deem it appropriate to grant one more opportunity to the petitioner/plaintiffs to pay the ad valorem Court fee subject to payment of costs of ₹1, 00,000/- (Rupees one lac.). The costs shall be paid within a period of three weeks from the date of receipt of certified copy of this order, failing which, the impugned order shall come into operation.

The impugned order is set aside and the revision petition is disposed of, with a direction to the petitioners to deposit the requisite Court fee along with costs of ₹1,00,000/-, in order to enable them to pursue with the suit.

With the aforesaid directions, revision petition stands disposed of .

(AMIT RAWAL)
JUDGE

September 17, 2015
savita