

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

CR-6051-2013

Date of decision-03.12.2015

SURINDER SINGH

...Petitioner

VS

RAJ SINGH AND ANR

..Respondents

CORAM:-HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Raman Mohinder Sharma, Advocate
for the petitioner.

RAJ MOHAN SINGH, J (Oral)

[1] Learned counsel for the petitioner contends that matter was compromised in the Lok Adalat but no such application for refund of court fee was made. According to learned counsel prayer was made before the Lok Adalat for refund of the court fee and even a review petition was also moved against the order dated 27.04.2013 passed in Civil Suit No.218 dated 05.09.2012 wherein no order of refund of court fee was passed by the Lok Adalat. Learned counsel contends that it was mandatory for the Lok Adalat under Section 21 of the Legal Services Authority Act to order refund of court fee when the matter was being compromised between the parties.

[2] Be that as it may, since review petition was filed before the Civil Court instead of Lok Adalat, therefore, at this stage it cannot be presumed that any prayer for refund of court fee was made before the Lok Adalat. Without commenting upon merits of this case at this stage, let the petitioner move an appropriate application for refund of court fee before the Civil

Court with a further prayer to refer the same to the Lok Adalat, Dhuri. In the event of filing such application, Civil Judge (Junior Division) Dhuri-cum-Presiding Officer would refer the matter to the Lok Adalat for consideration on refund of court fee in accordance with law.

Disposed of.

(RAJ MOHAN SINGH)
JUDGE

December 03, 2015

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