

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

CR No.6774 of 2015

Date of Decision: October 13, 2015

Gian Chand Sehgal

.... Petitioner

vs.

Sanjay Sehgal and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. Vivek Rattan, Advocate for the petitioner.

1. *Whether Reporters of Local Newspapers 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?*

Kuldip Singh J.(Oral)

Impugned in the present revision petition is the order dated 23.07.2015 (Annexure P-1) passed by learned Civil Judge (Jr. Divn.), Panipat, vide which the application filed by the present petitioner-defendant before the lower court under Order VII, Rule 11 CPC, was dismissed and the prayer that the plaintiffs should be ordered to pay the ad valorem court fee on the market value of the land, was declined.

I have heard learned counsel for the petitioner and have also carefully gone through the case file.

A perusal of the impugned order and the documents attached with the same shows that the plaintiffs had claimed succession on the basis of registered Will dated 30.03.2012. They have also claimed possession by way of the partition. The plaintiffs

on the first hand claimed succession on the basis of Will and the actual partition of the land.

It being so, it is not a case, where the ad valorem court fee is required to be paid as the effective prayer is only for the partition after he succeeds on the basis of Will.

Hence, the present revision petition stands dismissed.

October 13, 2015
sarita

(KULDIP SINGH)
JUDGE