

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

C.R. No.6832 of 2012

Date of Decision.23.07.2015

Banshi Ram

.....Petitioner

Versus

M/s Aakarshan Estate Pvt. Ltd. and another

.....Respondents

Present: Mr. Sanjay Vij, Advocate
for the petitioner.

Mr. Jainainder Saini, Advocate
for respondent No.1.

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 point involved in the suit is whether a cancellation of agreement of sale would require to be dealt with on the market value of the property. This point has been dealt with by this Court earlier in **R.M. Mann Vs. M/s Pal Infrastructures and Developers Pvt. Ltd. and others** in C.R. No.3674 of 2012 dated 05.09.2013 holding that it is not necessary to value the property on its market value and pay ad valorem court fee and in fact valuation accords with law. I do not find any valid objection to the method of valuation. The only contention by the respondent is that agreement is genuine and the plaintiff was not competent to file a suit on its genuineness. That issue will be decided by the Court and will not be considered at the time of consideration valuation of suit.

2. The order is set aside and the revision petition is allowed.

**(K. KANNAN)
JUDGE**

July 23, 2015

Pankaj*