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

CR No.7529 of 2013

Date of decision: March 03, 2015

Mahesh and others

.....Petitioners

Versus

Suresh and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Namit Sharma, Advocate
for the petitioners.

SABINA, J

Petitioners have filed this petition challenging the order dated 01.04.2013.

I have heard learned counsel for the petitioners and have gone through the record available on the file carefully.

Impugned order dated 01.04.2013 reads as under:-

“File put up before me after lunch. Vide order dated 28.01.2013 application under Order 7 Rule 11 of Civil Procedure Code was decided and plaintiffs were directed to pay advalorem court fee for 11.02.2013 and on 11.02.2013 on application for extension of time for depositing the court fee moved by the plaintiffs they were granted time to pay court fee till 14.03.2013 and on 14.03.2013 again on the request the case was adjourned to 01.04.2013, i.e. for today for payment of court fee but none has appeared for and on behalf of the plaintiff. Court fee not filed. It is already 3:30 PM. Further wait is unjustified. Hence, plaint of the present suit is

hereby rejected. File be consigned to record room, after due compliance.”

Thus, petitioners were granted sufficient opportunities to enable them to affix the Court fee, but they failed to do so. Infact, none had appeared on behalf of the petitioners on the date, when the impugned order was passed.

Since the petitioners had failed to affix the Court fee despite opportunities, the trial Court was left with no other option, but to reject the plaint. No ground for interference by this Court, is made out.

Dismissed.

**(SABINA)
JUDGE**

March 03, 2015

m.singh