

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

CR No. 7909 of 2014 (O&M)

Date of decision: 28.04.2015

Ashok Kumar

... Petitioner

versus

Girish Kumar

.... Respondent

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. Sushil Bhardwaj, Advocate, for the petitioner.

Mr. Parminder Singh, Advocate for the respondent.

K.Kannan, J.

The suit cannot be maintained without paying *ad valorem* court fee for the relief of recovery of possession which he has sought. The valuation first to be made by plaintiff is on the date of the suit. If the valuation is contested by the respondent as inadequate or improper, the Court may do the valuation itself by appointing a bailiff who will collect evidence and more particularly, from any village official regarding the valuation and if it need be, issue check-slip on valuation and called upon the plaintiff to pay the proper court fee.

The above procedure shall be valid in the event of any dispute as regards valuation. Direction for *ad valorem* court fee passed by the court is justified and I find no case for interference. The civil revision petition is dismissed with above observations.

28.04.2015

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**(K.KANNAN)
JUDGE**