

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

C. R No. 8235 of 2015 (O&M)

Date of decision : 05.12.2015

Haryana Urban Development Authority

....Petitioner

versus

Zile Singh (since deceased) & others

...Respondents

CORAM: **HON'BLE MS. JUSTICE RITU BAHRI**

Present: Mr. Vishal Garg, Advocate
for the petitioner.

RITU BAHRI , J. (Oral)

Challenge in this petition is to order dated 20.08.2015 passed by learned Civil Judge (Jr. Divn.), Gurgaon whereby the respondents-plaintiffs was allowed to pay the ad-valorem Court fees, in terms of decree dated 30.10.2014.

A suit which was filed by the respondents/plaintiffs against the petitioner/defendant was decreed on 30.10.2014 in favour of the respondents and the learned trial Court granted compensation/damages to the tune of Rs.30,00,000/- along with interest in favour of the respondents and the respondents were directed to pay ad valorem Court fees on the decretal amount. But the

respondents failed to deposit the ad valorem Court fee within one month. A perusal of the challan shows that the respondents made payment of money for the Court fee on 29.11.2014, however, stamp papers were issued on 01.12.2014.

In view of the above, the respondents had made the payment of money for the Court fee well within the stipulated period and they cannot be penalized for the lapse on the part of the department. The learned trial Court has rightly made the decree absolute and disposed of the application.

No ground is made out to interfere in order dated 20.08.2015 passed by learned Civil Judge (Jr. Divn.), Gurgaon.

The petition is dismissed.

05.12.2015
G Arora

(RITU BAHRI)
JUDGE