

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

Civil Revision No.823 of 2014 (O&M)

Date of decision: 28.04.2015

Angoori Devi

... Petitioner

versus

Balbir and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. Amit Choudhary, Advocate,
for the petitioner.

Mr. Raman Gaur, Advocate,
for respondent No.3.

1. Whether reporters of local papers may be allowed to see the judgment ? No.
2. To be referred to the reporters or not ? No.
3. Whether the judgment should be reported in the digest ? No.

K.Kannan, J. (Oral)

The court has directed the ad valorem court fee to be paid to a transaction of an alleged undertaking given by the plaintiff that he will have no objection if the property is transferred in respect of his share also. When the plaintiff denies that he has signed the document and contends that it is a forgery, he must be taken as pleading for the invalidity to a transaction on a fundamental premise that the document is not valid at all and that the document cannot be acted upon unless the signature of the plaintiff is proved. The court

fee will be collected only on the basis of the pleadings of the plaintiff and if the plaintiff sets up a case of forgery, he is not required to set it aside. He is entitled to ignore the same as not binding on him. The direction for payment of ad valorem court fee was, under the circumstances, not justified. The impugned order is set aside and the civil revision is allowed.

(K.KANNAN)
JUDGE

28.04.2015
sanjeev