

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

**CR No. 8238 of 2014 (O&M)  
Date of decision: 18.12.2015**

|                           |        |             |
|---------------------------|--------|-------------|
| Jaswant Singh and another | ...    | Petitioners |
|                           | versus |             |
| Chand Singh and others    | ....   | Respondents |

**CORAM: HON'BLE MR. JUSTICE K. KANNAN**

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Present: Mr. Arnav Sood, Advocate for  
Mr. Vikram Singh, Advocate for the petitioners.

**K.Kannan, J.**

There is no warrant for interference in the revision against an order dismissing an application for rejection of the plaint under the circumstances:

The plaintiff is suing for setting aside the sale of the year 1972 in transaction to which he was not a party. The prayer for setting aside the sale must, therefore, under circumstance be construed as a prayer that the plaintiff is not bound by the sale itself. It will not require Court fee to be paid on the basis of valuation in the sale deed. There is a prayer for recovery of possession and since the relief is for possession of land, the value will be settled on the basis of Section 7 (v) (c ) of the Court Fees Act if the land pays no revenue or under 7 (v) (b) if land pays the revenue in the manner provided under the relevant provisions. The ad valorem Court fee will be on the value as determined in the manner provided in the provisions referred to above and not on the market value of the property covered under the sale deed.

The revision petition is dismissed but the trial Court will examine the manner of valuation for the purpose of Court fee to conform to 7(v) (b) or (c ) as the case may be.

**(K.KANNAN)  
JUDGE**

18.12.2015

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