

FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL REVISION APPLICATION NO.260 OF 2016

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr.Girish R. Agrawal for the applicant

CORAM : K. K. TATED, J.
DATE : JUNE 23, 2016

P.C.:

- 1 Heard the learned counsel for the applicant.
- 2 By this Civil Revision Application, defendant challenges the order dated 4.1.2016 passed by Civil Judge, Senior Division, Karad below Exhibit-83 in Special Civil Suit No. 1 of 2013 rejecting defendant nos.1 to 3's application under Order VII Rule 11 of the Code of Civil Procedure, 1908 to dismiss the Suit on the ground that the Suit was not valued properly.
- 3 The Trial Court in paragraph 6 of the impugned order held that the respondent plaintiff filed Suit for partition of agricultural land and valued the same as per Section 6 (vii) of the Bombay Court Fees Act.

4 It is the contention of the learned counsel for the defendant that plaintiff ought to have valued the suit property as per the market value i.e. Rs.4,82,60,000/-.

5 It is to be noted that applicant defendant has not placed on record any documentary evidence to show that suit properties were converted as non-agricultural land. If the suit is filed for partition of agricultural land, same is required to be valued on the basis of land revenue and same is done by the respondent plaintiff.

6 Considering these facts, I do not find any substance in the present Civil Revision Application and same is dismissed with costs.

JUDGE