

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

CR No.2651 of 2016
Date of decision : 23.09.2016

Devinder Kaur and another

...Petitioners

Versus

Satinderpal Singh and others

..Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL.

Present: Mr. Sourabh Goel, Advocate for the petitioners.

Mr. Ajaivir Singh, Advocate for respondents/applicant.

AMIT RAWAL, J. (Oral)

CM No.19381-CII of 2016

Notice of this application to the petitioners-non-applicants.

Mr. Sourabh Goel, Advocate accepts notice on behalf of non-applicant-petitioners.

For the reasons stated in the application, which is duly supported by an affidavit, application is allowed.

Date of main revision petition is preponed from 06.10.2016 to 23.09.2016 and is taken on Board.

Main Case

Learned counsel for the applicant-respondent(s) submits that the petitioner(s)-defendant in the counter claim is aggrieved of the dismissal

of the application moved under Order 7 Rule 11 of CPC for rejection of counter-claim. This Court had already issued the notice and stayed the further proceedings.

He submits that his client is willing to pay the court fees on the counter claim and, therefore, the grievance of the petitioner herein non-applicant stands redressed.

Mr. Sourabh Goel, Advocate submits that once court fees is paid, no cause of action further survives.

Application is supported by an affidavit.

Present revision petition is allowed, on payment of the court fees within a period of four weeks from the date of receipt of certified copy of the order, the trial Court shall continue with the trial of the suit.

Effort shall be made by the parties to conclude the trial as expeditiously as possible.

23.09.2016

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**(AMIT RAWAL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No