

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

CR No.3756 of 2016 (O&M)

Date of decision:30.5.2016

Smt. Amrita Singh @ Smt. Amrit Kaur and othersPetitioners

VERSUS

Brig. Jasbir Singh (Retd.) and othersRespondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. S. S. Katnoria, Advocate for the petitioners.

REKHA MITTAL, J.(Oral)

The present petition has been directed against order dated 14.03.2011 (Annexure P-5) passed by the trial Court whereby application filed by the petitioners/defendants under Order 7 Rule 11 read with Section 151 of the Code of Civil Procedure, 1908, has been disposed of with the observation that the respondent/plaintiff can be directed to affix the proper Court fee after decision of the case, if required.

Keeping in view the fact that the petitioners felt satisfied with the order for a period of 5 years coupled with the factum that question of Court fee has not been finally decided against the petitioners, I do not find any reason to exercise jurisdiction under Article 227 of the Constitution of India, in the circumstances of the present case.

Dismissed.

MAY 30, 2016
'D. Gulati'

(REKHA MITTAL)
JUDGE